

City of Strongsville

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March 28, 2024

City Council

James A. Kaminski
Ward 1

Annmarie P. Roff
Ward 2

Thomas M. Clark
Ward 3

Gordon C. Short
Ward 4

James E. Carbone
At-Large

Kelly A. Kosek
At-Large

Brian M. Spring
At-Large

Aimee Pientka, MMC
Clerk of Council

MEETING NOTICE

City Council has scheduled the following meetings for **Monday, April 1, 2024**, to be held in the Caucus Room and the Council Chamber at the ***Mike Kalinich Sr. City Council Chamber, 18688 Royalton Road***:

Caucus will begin at 6:45 p.m. All committees listed will meet immediately following the previous committee:

6:45 P.M. **Planning, Zoning & Engineering Committee** will meet to discuss Ordinance No. 2024-006.

Committee of the Whole will meet to discuss Resolution Nos. 2024-041 and 2024-042.

7:00 P.M. **Regular Council Meeting**

Any other matters that may properly come before this Council may also be discussed.

BY ORDER OF THE COUNCIL:

Aimee Pientka, MMC
Clerk of Council

STRONGSVILLE CITY COUNCIL REGULAR MEETING

MONDAY, APRIL 1, 2024 AT 7:00 P.M.

Mike Kalinich Sr. City Council Chamber
18688 Royalton Road, Strongsville, Ohio

AGENDA

1. CALL TO ORDER:
2. PLEDGE OF ALLEGIANCE:
3. CERTIFICATION OF POSTING:
4. ROLL CALL:
5. COMMENTS ON MINUTES:
 - *Regular Council Meeting – March 18, 2024*
6. APPOINTMENTS, CONFIRMATIONS, AWARDS AND RECOGNITION:
7. PUBLIC HEARING:
 - Ordinance No. 2024-006 by Mayor Perciak and All Members of Council. AN ORDINANCE AMENDING SECTIONS 1242.07, 1258.04, 1258.11(a), 1258.12 AND 1270.05 OF TITLE SIX OF PART TWELVE OF THE PLANNING AND ZONING CODE OF THE CODIFIED ORDINANCES OF THE CITY OF STRONGSVILLE, CONCERNING PERMITTED USES AND REGULATIONS REGARDING SHOPPING CENTER DISTRICTS, AND DECLARING AN EMERGENCY. *First reading 01-16-24. Second reading and referred to the Planning Commission 02-05-24. Favorable recommendation by the Planning Commission 02-08-24. Third reading 02-20-24. Public hearing 04-01-24.*
 - Resolution No. 2024-041 by Mayor Perciak and All Members of Council. A RESOLUTION APPROVING THE APPLICATION OF MERYL HOSSFELD AND CYNTHIA HOSSFELD TO PLACE LAND IN AN AGRICULTURAL DISTRICT.
 - Resolution No. 2024-042 by Mayor Perciak and All Members of Council. A RESOLUTION APPROVING THE APPLICATION OF SUSAN LEA SCHNITKE TO PLACE LAND IN AN AGRICULTURAL DISTRICT.
8. REPORTS OF COUNCIL COMMITTEE:
 - ECONOMIC DEVELOPMENT – Clark
 - BUILDING & UTILITIES – Roff
 - PUBLIC SAFETY AND HEALTH – Roff
 - RECREATION AND COMMUNITY SERVICES – Spring
 - SCHOOL BOARD – Spring
 - FINANCE – Short
 - SOUTHWEST GENERAL HEALTH SYSTEM – Short

- COMMUNICATIONS AND TECHNOLOGY – Kaminski
 - PLANNING, ZONING AND ENGINEERING – Kosek
 - PUBLIC SERVICE AND CONSERVATION – Kosek
 - COMMITTEE-OF-THE-WHOLE – Carbone
9. REPORTS AND COMMUNICATIONS FROM THE MAYOR, DIRECTORS OF DEPARTMENTS AND OTHER OFFICERS:
- MAYOR PERCIAK:
 - FINANCE DEPARTMENT:
 - LAW DEPARTMENT:
10. AUDIENCE PARTICIPATION:
11. ORDINANCES AND RESOLUTIONS:
- Ordinance No. 2024-006 by Mayor Perciak and All Members of Council. AN ORDINANCE AMENDING SECTIONS 1242.07, 1258.04, 1258.11(a), 1258.12 AND 1270.05 OF TITLE SIX OF PART TWELVE OF THE PLANNING AND ZONING CODE OF THE CODIFIED ORDINANCES OF THE CITY OF STRONGSVILLE, CONCERNING PERMITTED USES AND REGULATIONS REGARDING SHOPPING CENTER DISTRICTS, AND DECLARING AN EMERGENCY. *First reading 01-16-24. Second reading and referred to the Planning Commission 02-05-24. Favorable recommendation by the Planning Commission 02-08-24. Third reading 02-20-24. Public hearing 04-01-24.*
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 - Resolution No. 2024-042 by Mayor Perciak and All Members of Council. A RESOLUTION APPROVING THE APPLICATION OF SUSAN LEA SCHNITKE TO PLACE LAND IN AN AGRICULTURAL DISTRICT.
12. COMMUNICATIONS, PETITIONS AND CLAIMS:
13. MISCELLANEOUS BUSINESS:
14. ADJOURNMENT:

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2024 – 006

By: Mayor Perciak and All Members of Council

AN ORDINANCE AMENDING SECTIONS 1242.07, 1258.04, 1258.11(a), 1258.12 and 1270.05 OF TITLE SIX OF PART TWELVE OF THE PLANNING AND ZONING CODE OF THE CODIFIED ORDINANCES OF THE CITY OF STRONGSVILLE, CONCERNING PERMITTED USES AND REGULATIONS REGARDING SHOPPING CENTER DISTRICTS, AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF STRONGSVILLE, COUNTY OF CUYAHOGA AND STATE OF OHIO:

Section 1. That existing Section 1242.07 of Chapter 1242 of Title Six of Part Twelve Planning and Zoning Code of the Codified Ordinances of the City of Strongsville, be and is hereby amended to read in its entirety as follows:

1242.07 CONDITIONAL USE PERMITS.

Conditional use permits shall be required for certain types of main uses as defined in Sections 1250.02 and 1240.08(c)(18)(D) ~~generally publicly operated or a facility which affects the public interest~~. Such use may be permitted and desirable in certain districts but not without consideration in each case of the effect of the use upon neighboring land and the public need for the particular location. The application of the planning standards for determining the location and extent of such use is a planning function and not in the nature of a variance or appeal. Enumerated throughout this Zoning Code are certain uses and the districts in which conditional uses may be permitted, provided the following standards are fulfilled and a conditional use permit is granted by the Planning Commission.

- (a) Application. The application for such permits received from the proponent shall be submitted by the Building Commissioner to the Planning Commission. The Commission shall hold a hearing thereon, notice of which may be published in a newspaper of general circulation, or mailed to the owners of property contiguous to and across the street from the parcel for which a conditional use permit is requested, at least fifteen days before the hearing. The Commission shall take action upon such application within sixty days from the date of receiving such application. Failure to act within such period shall be deemed approval.
- (b) Standards for Evaluating Conditional Use Permits. An application for a conditional use permit shall not be approved unless the following conditions and standards are complied with as set forth for the following districts:
 - (1) Residential Districts.
 - A. The proposed use is properly located in relation to any adopted and pedestrian circulation.
 - B. When located on a local street the proposed use will generate the least possible traffic through a residential neighborhood.
 - C. The proposed use is necessary to serve the surrounding residential areas which cannot be served satisfactorily if the same use is located in a nearby less restrictive district where it may be permitted by right.

- D. The location, design and operation of such use will not discourage the appropriate development or impair the value of the surrounding Residential District.
- E. For temporary structures every conditional use permit shall be reviewed every six months and may be renewed only while the construction operations are pursued diligently.

(2) Business, Research, Service and Industrial Districts.

- A. The proposed use is necessary to serve the community needs, and existing similar facilities located in a less restrictive or more remote district in which the use may be permitted by right are inadequate.
- B. The proposed use is not closer than appropriate in the particular situation to schools, churches and other places of assembly.
- C. The location, extent and intensity of the proposed use shall be such that its operation will not be objectionable to nearby dwellings by reason of greater noise, smoke, dust, odors, fumes, vibrations or glare than is normal or is permitted by the performance standards of the district.
- D. The proposed use will form a harmonious part of the Business, Research, Service and Industrial District, taking into account, among others, convenience of access to and relationship of the proposed use to other permitted uses in the district;
- E. The proposed use will be permitted in the proposed district rather than one in which it is permitted by right, because the applicant has demonstrated in its application to the Planning Commission that the proposed use is of only such limited nature and extent as is required to serve the needs of the district, or, when determined applicable by the Planning Commission, the needs of the community; and
- F. The hours of operation and concentration of vehicles in connection with proposed use will not be more hazardous or dangerous than the normal traffic of the district.

(3) Game room and amusement arcade standards. In addition to complying with the above general standards, in the use of all or part of a structure for a game room or amusement arcade, the location and arrangement of amusement devices shall comply with the following specific standards:

- A. As a part of the application for a conditional use permit, the applicant shall submit a floor plan, drawn to scale, showing the size, location and arrangement of each mechanical amusement device. For the purposes of this subsection, depth is measured perpendicular to any player or user side of an amusement device, and width is measured perpendicular to any non-player side of the device.
- B. Non-tabletop devices. In addition to the actual floor plan dimensions of the device, an open area of five feet in depth shall be provided on any player side and an open area of three feet in width shall be provided on any non-player side, except where such non-player side is positioned adjacent to a structural wall.
- C. Tabletop devices.
 - 1. Designed to be played in a seated position: In addition to the actual floor plan dimensions of the device, an open

area of four feet in depth shall be provided on any player side, and an open area of three feet in width shall be provided on any non-player side, except where such non-player side is positioned adjacent to a structural wall.

2. Designed to be played in a standing position, e.g. billiard tables, air hockey tables, shuffleboard tables, bowling machines: In addition to the actual floor plan dimensions of the device, an open area of six feet in depth shall be provided on any player side of the device, and an open area of four feet in width shall be provided on any non-player side, except where such non-player side is positioned adjacent to a structural wall.

- D. The area and location requirements shall be met exclusive of any aiseways, corridors, passageways, or other circulation patterns necessary or required for applicant's business by the laws of the City or the State. The actual installation shall be in conformity with the plans submitted as the basis for issuance of the conditional use permit.

~~(Ord. 2005-210. Passed 2-21-06.)~~

- (4) Brewpub or Microbrewery. For purposes of these regulations, a brewpub or microbrewery shall be defined as an establishment which produces alcoholic beverages, including beers, ales, meads, hard ciders, wines and spirits, **where a substantial portion of said product is sold for consumption off-site**, and which contains restaurant facilities for the on-site consumption of food and beverages. In addition to complying with the **applicable** requirements and standards in Sections 1242.07 ~~(a), (b)(2), and (b)(10),~~ each brewpub or microbrewery shall comply with the following specific standards and conditions:

- A. Each brewpub or microbrewery shall manufacture and sell alcoholic beverages in accordance with the provisions of the Ohio Division of Liquor Control and shall maintain current licenses as required by said agency.
- B. Each brewpub or microbrewery shall include an attached restaurant for on-site consumption of food and beverages which restaurant shall be a minimum of fifteen percent (15%) of the total square footage of the entire facility, including but not limited to the manufacturing, bottling and storage areas.
- C. The maximum size of any brewpub or microbrewery shall not exceed 60,000 square feet.
- D. Each brewpub or microbrewery shall have direct access to an arterial street for delivery of materials and shipping of products, **unless part of a Regional Shopping Center**, with a traffic design to be approved by the Planning Commission.
- E. Brewpubs or microbreweries shall have retail outlets for the sale of alcoholic beverages for off-site consumption **or on-site consumption as part of a restaurant or bar.**
- F. No brewpub or microbrewery shall abut property zoned residential as set out in Section 1252.02 except RMF-1 districts **or as part of a Regional Shopping Center.**
- G. Each brewpub or microbrewery shall be architecturally compatible with the surrounding commercial uses.

- H. The minimum lot area for any brewpub or microbrewery shall be six (6) acres **unless part of a Regional Shopping Center.**
- I. The emission of odorous matter or smells in such quantities as to produce a public nuisance or hazard is not permitted.
- J. The facility shall not generate truck traffic materially different in truck size or frequency from that truck traffic generated by the surrounding commercial uses.

~~(Ord. 2015-114. Passed 7-20-15.)~~

- (5) Sale of Religious Materials. In addition to complying with the requirements and standards in paragraphs (a) and (b)(1) of Section 1242.07, the sale of religious materials as an accessory use to a main use of land for church or other religious facility purposes shall comply with the following standards and requirements:

- A. The accessory use of the sale of religious materials shall be conducted by or under the direction and control of the religious institution or organization occupying the main use on the zoning lot.
- B. The materials offered for sale shall be substantially related to the furtherance and advancement of the worship or other religious purposes of the religious institution or organization occupying the main use on the zoning lot.
- C. Such accessory use shall be conducted within the main building or an accessory building which has been approved by the Planning Commission.
- D. The building area designated for such accessory use shall in no event exceed 2,500 square feet.
- E. The main use and all accessory uses shall meet the off-street parking requirements of Chapter 1270 of the Zoning Code and in particular, where applicable, the mixed use standards as set forth in C.O. Section 1270.06(b) **and (c).**
- F. The main use and all accessory uses shall meet the requirements and standards of Chapter 1256 of the Zoning Code.

~~(Ord. 2010-096. Passed 6-6-11.)~~

- (6) Wireless Telecommunication Facilities. In addition to complying with the standards in paragraphs (B)(1) and (2), the use of land for a wireless telecommunication facility shall comply with the procedures, standards and requirements set forth in C.O. Chapter 1273.

- (7) Crematories. In addition to complying with the requirements and standards in Codified Ordinance Sections 1242.07(b)(2) and b(11), the Planning Commission shall consider the following standards and requirements in determining whether crematories should be permitted and if so, the scope of such crematories and the safeguards required by the Planning Commission. The following terms shall have the meanings as set forth herein:

- A. "Mortuaries" (Funeral Home) means a place for the care, preparation for burial, or disposition of dead human bodies or the conducting of funerals.
- B. "Funeral Director" means a person who engages, in whole or in part, in funeral directing and who is licensed by the State of Ohio (ORC Chapter 4717: Embalmers, Funeral Directors, Crematories).

- C. "Crematory Facility" means the physical location at which a cremation chamber is located and the cremation process takes place. It does not include an infectious waste incineration facility or a solid waste incineration facility.
- D. "Crematory" means the building or portion of a building that houses the holding facility and the cremation chamber
- E. "Cremation" means the technical process of using heat and flame to reduce human remains to bone fragments or ashes or any combination thereof. "Cremation" includes processing and may include the pulverization of bone fragments.
- F. "Cremation Chamber" means the enclosed space within which cremation takes place.
- G. "Cremated Remains" means all human remains recovered after the completion of the cremation process, which may include the residue of any foreign matter such as casket material, dental work, or eyeglasses that were cremated with the human remains.
- H. "Operator of a Crematory Facility" means the sole proprietorship, partnership, corporation, limited liability company, or other business entity responsible for the overall operation of a crematory facility.
- I. "Pulverization" means the reduction of identifiable bone fragments to granulated particles by manual or mechanical means after the completion of the cremation process.
- J. "Board of Embalmers and Funeral Directors" means the Board appointed by the Governor whose duties include the transaction of the business, and management of the affairs of the Board of Embalmers and Funeral Directors and Crematory Review Board; and, the administration and enforcement of ORC Chapter 4717. The Board is also responsible for the licensing of: embalmers; funeral directors; the operation of funeral homes; the operation of embalming; and the licensing and operation of crematory facilities.
 - 1. A crematory facility shall be operated as an Accessory Use at the location of a licensed funeral home and only by a licensed funeral director.
 - 2. A crematory shall be operated for the performance of cremation and pulverization of dead human bodies and human body parts. The cremation of animals shall not be permitted.
 - 3. A crematory facility shall be adequately equipped and maintained in a clean and sanitary manner. The crematory shall contain only the articles, facilities, and instruments necessary for carrying out the business of the crematory. The crematory shall contain a separate area for the performance of cremation and pulverization, including a refrigerated body holding area.
 - 4. The scattering of cremated remains of dead human bodies or body parts at the funeral home site shall not be permitted.
 - 5. All required air quality emission permits including, but not limited to particulate matter and carbon monoxide

- emissions must be obtained and kept in good standing by the funeral home/crematory facility from the Cleveland Division of Air Quality.
6. Crematories must meet all applicable requirements of the Ohio Building Code (OBC).
 7. Emission stacks shall be sensitively located and treated in a manner so as to be compatible with the funeral home's architectural design.
 8. Landscape screening of the funeral home/crematory facility from adjacent properties may be required, where appropriate.
 9. (Funeral Home/Crematory) Building and site landscape improvement plans must be reviewed and approved by the Architectural Review Board.
 10. A crematory shall be designed, constructed and maintained so as not to cause or become a nuisance by way of particulate matter, offensive smells, noise, smoke, or any other reason.
 11. A crematory building shall be set back a minimum distance of 150 feet from any residential lot line.
- (8) Outdoor Dining. In addition to complying with the requirements and standards in Codified Ordinance Sections 1242.07(b)(2) ~~and (b)(9)~~, the Planning Commission shall consider the following standards and requirements in determining whether an outdoor dining area should be permitted and if so, the scope of such outdoor dining area, and the safeguards required by the Planning Commission:
- A. The location of the requested area in relation to residential uses or other uses that may be adversely affected by the outdoor dining area;
 - B. The hours of operation;
 - C. The use of outside speakers for music, announcements, or paging;
 - D. The safety of the outside dining area customers in relation to pedestrian and vehicular traffic;
 - E. The outdoor playing of music, dancing, or use of alcoholic beverages;
 - F. The location of the outdoor eating area in regard to the location of doors and exits in the event of a fire or other calamity;
 - G. The use of fencing, bollards, planters and/or other structures to protect the customers;
 - H. The effect of the outdoor dining area on the required parking spaces or traffic patterns; and
 - I. Compliance with all ADA, building code, and fire code requirements.
- (9) Propane canister sale and/or exchange. In addition to complying with the above standards and as provided in Chapter 1258 (General Business District), Chapter 1258 (Motorist Service District), and Chapter 1262 (General Industrial District), the Planning Commission shall consider the following standards and requirements in determining whether the outdoor sale or exchange of propane canisters shall be permitted, and if so, the scope of such use and the safeguards required by the Planning

Commission:

- A. The location of the outdoor propane sales/exchange area shall be fixed, and shall not adversely impact the safety of customers as related to pedestrian and vehicular circulation.
- B. The outdoor propane area shall not obstruct egress at doors and exits in the event of fire or other calamity.
- C. Fencing, caging, bollards and/or other structures shall be used to protect the storage area.
- D. The design and color of outdoor propane storage areas shall be sensitive to building architecture and the location of the storage area.
- E. The individual canister size shall not exceed twenty (20) pounds in volume, except in areas zoned General Industrial.
- F. The total storage area shall not exceed the volumes set out in the Ohio Fire Code.
- G. Tanks may be exchanged, but not filled at the site except in areas zoned General Industrial.
- H. All tanks being stored must be undamaged, undented, not rusted, and in good condition.
- I. There must be full compliance with all applicable Building Code and Fire Code requirements.
- J. An annual permit must be obtained from the Fire Marshal ~~pursuant to Codified Ordinances Section 1601.16.~~

(10) Pawn Shops, Paraphernalia Stores, Vape Shops, Vaporizer Stores, Tattoo Parlors, Body Piercing Shops, Check Cashing Stores, Pay Day Loan Operations, Hookah Lounges, Smoke Lounges, and Vapor Lounges. In addition to complying with all other requirements of this Zoning Code, these uses shall comply with the following requirements and standards:

- A. No such use shall be established or operated within 500 feet of a school or public park property.
- B. No such use shall be established or operated within 500 feet of an existing use of the same type.
- C. No such use shall be operated or open for business between the hours of 12:00 midnight and 8:00 AM.

(11) Regional Shopping Centers.

A. Hotels

- 1. Parking for hotels shall be provided in conformance with Section 1270.05(c)(2).
- 2. Each hotel may be required to provide underground parking or a parking garage for a portion of the required parking as determined by the Planning Commission.
- 3. Each hotel shall have a minimum of a three (3) star rating as defined by widely recognized travel services such as Trip Advisor.
- 4. The architectural treatment of each hotel building shall be primarily finished masonry and designed to complement and be harmonious with the established architectural character of the Regional Shopping Center as determined by the Architectural Review

Board and Planning Commission.

B. Fitness Centers, Sports Facilities and Exercise Facilities

1. Parking shall be included as part of the parking calculation for the entire center pursuant to Section 1270.05(c)(2).

C. Medical Facilities

1. Medical Facilities may include clinics and urgent care facilities licensed by the State of Ohio, but shall not include facilities with patient beds for overnight stays or care. However, a limited number of patient beds may be permitted if authorized under a Conditional Use Permit for the purpose of permitting short-term stays necessitated by emergencies or other unusual circumstances.
2. Parking for medical facilities shall be provided at a rate of one (1) space for each 250 square feet of gross floor area.

D. Outdoor Playing Fields and Training Areas.

1. Shall be accessory to a principally permitted use.
2. Shall be fenced and/or screened in a manner approved by the Planning Commission.

~~(4112)~~ Safeguards and conditions. In addition to complying with the above general standards set forth in this section, conditions appropriate to each particular application may also be set forth in the permit.

~~(4213)~~ Approval. The approval of a conditional use permit shall become null and void if the construction of the building or site improvements are not started within a six-month period after date of approval.

~~(Ord. 2016-158, Passed 11-21-16.)~~

Section 2. That existing Section 1258.04 of Chapter 1258, of Title Six of Part Twelve Planning and Zoning Code of the Codified Ordinances of the City of Strongsville, be and is hereby amended to read in its entirety as follows:

1258.04 USE REGULATIONS; SHOPPING CENTER DISTRICT.

Buildings and land shall be used and buildings shall be designed, erected, altered, moved or maintained in whole or in part in Shopping Center Districts only for the uses set forth in the following schedules and regulations:

- (a) Main Buildings and Uses Permitted. ~~Indoor theaters; freestanding restaurants; and offices, stores, services and other use classifications as permitted in General Business Districts, except dwellings, wholesale offices and showrooms, mortuaries, transmittal towers, telephone exchanges, transformer stations, bus passenger stations, hotels and motels; The following principal uses conducted wholly within enclosed buildings:~~
 - (1) Retail Stores and Shops, except wholesale offices and showrooms, mortuaries, transmittal towers, telephone exchanges, bus passenger stations, hotels and motels;
 - (2) Personal Services, but excluding services listed in Sections 1258.06(a)(4), 1258.06(a)(5), and 1258.06(a)(6);
 - (3) Offices;

- (4) Restaurants, which may include accessory outdoor eating areas provided that a Conditional Use Permit is granted for outdoor seating in accordance with the appropriate standards set forth in Section 1242.07; and
- (b) Main Uses Regional Shopping Centers. The following principal uses may be permitted in addition to those listed in Section 1258.04(a) only as part of a unified and cohesive Regional Shopping Center which shall include an interior sheltered walk or promenade that provides access to a variety of retail stores, restaurants, and service uses:
 - (1) Hotels with a minimum three (3) star rating as defined by widely recognized travel services such as Trip Advisor, provided that a Conditional Use Permit is granted in accordance with the appropriate standards set forth in Section 1242.07;
 - (2) Fitness Centers, Sports Facilities, Exercise Facilities, and Amusement Facilities excluding carnival types of uses, provided that a Conditional Use Permit is granted in accordance with the appropriate standards set forth in Section 1242.07;
 - (3) Medical Facilities including clinics and urgent care facilities, but excluding facilities with patient beds for overnight stays provided that a Conditional Use Permit is granted in accordance with the appropriate standards set forth in Section 1242.07;
 - (4) Theaters;
 - (5) Outdoor gathering spaces, activities, and dining areas;
 - (6) Grocery stores provided that a Conditional Use Permit is granted in accordance with the appropriate standards set forth in Section 1242.07;
 - (7) Outdoor playing fields or training areas as accessory to a main use provided that a Conditional Use Permit is granted in accordance with the appropriate standards set forth in Section 1242.07; and
- (c) Similar Main Uses Permitted. Any other general business store, shop, ~~or~~ service **or amusement facility** not listed above or in any subsequent use classification and determined as similar by the Planning Commission in accordance with standards set forth in Section 1242.08 of this Zoning Code **except wholesale offices and showrooms, mortuaries, transmittal towers, telephone exchanges, transformer stations, and bus passenger stations;** and
- (ed) Accessory Uses Permitted. Any accessory use such as storage of goods or processing operations which are clearly incident to conducting a retail business, office or service establishment or other permitted main use, provided such an accessory use is compatible with contiguous office, retail and service establishments.
 - (1) Accessory off-street parking and loading facilities as required in Chapter 1270 of this Zoning Code;
 - (2) Signs in Shopping Center Districts shall be designed, erected, altered, reconstructed, moved and maintained, in whole or in part,

in accordance with the type, design size, location, illumination and other provisions set forth in Chapter 1272 of this Zoning Code;

(3) **Parking structures provided that a Conditional Use Permit is granted in accordance with the standards and procedures set forth in Section 1242.07 of this Zoning Code;**

~~(3) Oil and gas well drilling, operation and maintenance, provided that a conditional use permit is granted in accordance with standards and procedures set forth in Section 1242.07 of this Zoning Code;~~

~~(43)~~(4) Outdoor dining in conjunction with an approved sit-down restaurant, provided that a conditional use permit is granted in accordance with standards and procedures set forth in Section 1242.07 of this Zoning Code.

~~(Ord. 2009-155, Passed 11-16-09.)~~

Section 3. That existing Section 1258.11(a) of Chapter 1258, of Title Six of Part Twelve Planning and Zoning Code of the Codified Ordinances of the City of Strongsville, be and is hereby amended to read in its entirety as follows:

1258.11 YARD REGULATIONS; BUSINESS DISTRICTS.

In all Business Districts, buildings and land shall abut a dedicated street for the required lot width, and shall be used, and buildings shall be designed, erected, altered, moved or maintained, in whole or in part, only in accordance with the following schedule and regulations:

- (a) Schedule of Yards and Setbacks for Business Uses. In Business Districts, the yards shall be not less than set forth in the following schedule:

Schedule of Minimum Yard and Setback (SB) Dimensions							
District	Main & Accessory Building & Use	SB Abutting Prospect, Pearl, Sprague & Royalton Rds. & W. 130 th St. (ft.)	Front Yard SB Abutting Other Sts. (Distance from St. R-O-W) (ft.)	Side Yard Abutting Residential District (ft.)	SB Abutting Non-Residential District (ft.)	Rear Yard Abutting Residential District (ft.)	SB Abutting Non-Residential District (ft.)
Local Business	Offices, stores and services	125 from centerline	50	20	None but min. 10 between buildings	20	10
	Sales in open yards	50 from right of way	35	Not allowed	Not allowed	Not allowed	Not allowed
	Parking areas and drives	20 from right of way	20	10	5	10	5

General Business and Restaurant-Recreation-al Services	Offices, stores, services, mortuaries, amusement and recreation	125 from center-line	80	30	None but min.10 between buildings	30	10
	Sales in open yards	90 from center-line	45	Not allowed	Not allowed	Not allowed	Not allowed
	Parking areas and drives	75 from center-line	30	10	5	10	5
Shopping Center	Offices, stores, services amusement and recreation All Main and Accessory Uses	200 from center-line	150	100	50	100	50
	Sales in open yards	Not allowed*	Not allowed*	Not allowed*	10	Not allowed*	10
	Parking areas and drives	40 from right of way	40	20	10	20	10
Motorist Service	All Main and Accessory Uses	125 from center-line	50	50	25	50	25
Motorist Service	Parking areas and drives	30 from right of way	30	20	10	20	10

*Except as provided in Section 1258.04(b).

* * *

~~(Ord. 2014-132. Passed 9-2-14.)~~

Section 3. That existing Section 1258.12 of Chapter 1258, of Title Six of Part Twelve Planning and Zoning Code of the Codified Ordinances of the City of Strongsville, be and is hereby amended to read in its entirety as follows:

1258.12 HEIGHT REGULATIONS.

The height of any main or accessory building shall not exceed thirty-five feet in any Local Business, Motorist Service or Restaurant-Recreational Services District, and sixty feet in any General Business or **Neighborhood** Shopping Center District, except that an indoor tennis facility in a Motorist Service District shall not exceed forty-five feet. ~~Office u~~Uses within a **Regional** Shopping Center District ~~at a community or regional shopping center, as defined in Section 1258.15,~~ shall not exceed ~~sixty-seventy~~ feet in height. Mechanical space for building equipment placed on the building roof may be allowed above the maximum height specified, provided that such mechanical space is set back a minimum of fifteen feet from any exterior wall, does not exceed fifteen feet in height and is adequately screened from view, and provided, further, that such mechanical space and screening are approved by the Planning Commission.

~~(Ord 1978-165. Passed 10-16-78.)~~

Section 4. That Section 1270.05 of Chapter 1270 of Title Six of Part Twelve of the Planning and Zoning Code of the Codified Ordinances of the City of Strongsville is hereby amended in order that Section 1270.05 shall read in its entirety as follows:

1270.05 SCHEDULE OF PARKING REQUIREMENTS.

Accessory off-street parking facilities shall be provided in quantities not less than set forth in the following schedule:

	Building Use	Minimum Spaces Required
(a)	Residential	
	(1) One-family dwellings	2 per dwelling unit
	(2) Two-family dwellings	2 per dwelling unit
	(3) Townhouse cluster*	2 per dwelling unit
	(4) Multi-family/Apartment*	2-1/2 per dwelling unit
	(5) Rented rooms	1 per rented room, plus 2 for each resident family
	*Additional guest off-street parking may be required as determined by the Planning Commission.	
(b)	Community Facilities	
	(1) Governmental: Municipal, County, State and Federal buildings, principally administrative functions	1 per 300 sq. ft. of floor area used by the public, plus 1 for each 2 employees
	(2) Civic: Art galleries, libraries, museums, churches, club and community centers	1 per 500 sq. ft. (*)
	(3) Educational: Primary and secondary public; private schools	1 per 1,000 sq. ft. (*)
	(4) Places of assembly: Auditoriums, lodge halls, gymnasiums and stadiums	1 per 4 seats
	(5) Health and welfare:	
	A. General and special hospitals	1 per 500 sq. ft.
	B. Institutions for children and for aged, nursing homes, sanitariums	1 per bed or dwelling unit plus 1 per 1,000 sq. ft. of administrative space
	C. Medical centers	7 per 1,000 sq. ft. of gross floor areas
	(6) Recreation: Skating rink, swimming pools	1 per 50 sq. ft. of area devoted to the activity or 1 per 2 members

	*For the assembly parts of the building, one space per each four seats, or one space for each forty-eight square feet of assembly floor area, shall be added.	
(c)	Business and Offices	
	(1) Retail stores, services and offices other than community and regional shopping centers, as defined in Section 1258.15:	
	A. Without food services	4.5 spaces per 1,000 sq. ft. of gross building floor area
	B. With food services	4.5 spaces per 1,000 sq. ft. of gross building floor area used for retail uses. Parking for food service uses shall be provided in accordance with Subsections (4) and/or (5) hereof.
	(2) Neighborhood Community and Regional Shopping Centers, as defined in Section 1258.15	<p>54 spaces per 1,000 sq. ft. of gross leasable retail area (GLRA) Gross leasable retail area is the total floor area designed for tenant occupancy and exclusive use, including the retail areas of basements, mezzanines and upper floors, but not including basements and other areas used solely for storage, if any, expressed in square feet, measured from center lines of joint partitions and the exterior of outside walls. This does not include office buildings in which medical, dental, research and other kinds of special organizations are housed. It does include banks, restaurants, and other similar activities which may be part of a shopping center.</p> <p>Parking for office space usage at or immediately adjacent to community and regional shopping centers shall be provided at the rate of 2.5 spaces for each 1,000 sq. ft. of office floor area.</p> <p>For hotels within a Regional Shopping Center, parking requirements will be 1 per guest room (there will not be additional parking required for employees).</p> <p>For a Regional Shopping Center, the minimum required parking spaces may be modified by the Planning Commission based on the mixture of uses and the ability to utilize shared parking.</p> <p>For all uses within the Regional Shopping Center, the required parking shall be determined only by the requirements set forth in Section 1207.05(c)(2) and (c)(7) and the parking requirements for other uses set forth in Section 1207.05(c) are not applicable.</p>

(3)	Hotels, motels, tourist home	1 per guest room, plus 1 for each employee
(4)	Carry-out restaurant without seating	10 spaces per 1,000 sq. ft. of gross floor area
(5)	Sit down restaurant	1 space for every 2 interior seats plus 1 space for every 4 outdoor or patio seats
(6)	Food stores	5 per 1,000 sq. ft. of gross floor area
(7)	Offices:	
	A. Medical and dental	1 per 200 sq. ft.
	B. Other;	1 per 250 sq. ft.
(8)	Mortuaries	40 plus 1 space per 200 sq. ft.
(9)	Places of assembly, theaters, halls, arenas	1 per 4 seats
(10)	Commercial recreation:	
	A. Open commercial amusement	1 per 500 sq. ft.
	B. Bowling alleys	7 per 1,000 sq. ft. of gross floor area
	C. Indoor tennis facility	5-1/2 spaces per court
(d)	Service and Manufacturing	
(1)	Wholesale, distribution, laboratories, general services, machine shops and similar establishments	1 per employee on the two largest successive shifts
(2)	Manufacturing plants	1 per employee on the two largest successive shifts
(e)	Sexually oriented businesses	18 per 1,000 sq. ft. of gross floor area

- (f) For specific buildings or uses not scheduled above, the Planning Commission shall apply the unit of measurement set forth in the above schedule which is deemed to be most similar to the proposed building or use.

~~(Ord. 2018-005. Passed 3-19-18.)~~

Section 5. That in case of conflict between any provision of this Ordinance and any other ordinance or resolution, or part thereof, the provisions of this Ordinance shall prevail and apply, unless a conflicting provision is deemed to be more restrictive.

Section 6. That 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 any of its committees, that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 7. That this Ordinance is hereby declared an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare of the City, and for the further reason that it is immediately necessary in order to provide for permitted uses within the Shopping Center Districts. Therefore, provided this Ordinance receives the affirmative vote of two-thirds of all 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.

First reading: January 16, 2024

Second reading: February 5, 2024

Third reading: February 20, 2024

Public Hearing: April 1, 2024

Referred to Planning Commission

February 6, 2024

Favorable recommendation,
Approved: by Planning Commission
February 8, 2024

President of Council

Approved: _____
Mayor

Date Passed: _____

Date Approved: _____

	<u>Yea</u>	<u>Nay</u>
Carbone	_____	_____
Clark	_____	_____
Kaminski	_____	_____
Kosek	_____	_____
Roff	_____	_____
Short	_____	_____
Spring	_____	_____

Attest: _____
Clerk of Council

Ord. No. 2024-006 Amended: _____
1st Rdg. 01-16-24 Ref: P2E
2nd Rdg. 02-05-24 Ref: PC/P2E
3rd Rdg. 02-06-24 Ref: P2E

Public Hrg. 04-01-24 Ref: _____
Adopted: _____ Defeated: _____

CITY OF STRONGSVILLE
OFFICE OF THE COUNCIL

MEMORANDUM

TO: Mitzi Anderson, Administrator to Boards & Commissions
FROM: Marialena Beach, Council Secretary
DATE: February 6, 2024
SUBJECT: Referral from Council: Ordinance No. 2024-006

At its regular meeting of February 5, 2024, City Council referred the following Ordinance to the Planning Commission for its report and recommendation thereon:

- Ordinance No. 2024-006 by Mayor Perciak and All Members of Council. AN ORDINANCE AMENDING SECTIONS 1242.07, 1258.04, 1258.11(a), 1258.12 AND 1270.05 OF TITLE SIX OF PART TWELVE OF THE PLANNING AND ZONING CODE OF THE CODIFIED ORDINANCES OF THE CITY OF STRONGSVILLE, CONCERNING PERMITTED USES AND REGULATIONS REGARDING SHOPPING CENTER DISTRICTS, AND DECLARING AN EMERGENCY. *First reading and referred to the Planning Commission 01-16-24.*

A copy of this ordinance is attached for Planning Commission review.

MB
Attachments

MEMORANDUM

TO: Aimee Pientka, Council Clerk
Neal Jamison, Law Director

FROM: Mitzi Anderson, Administrator, Boards & Commissions

SUBJECT: Referral to Council

DATE: February 9, 2024

Please be advised that at its meeting of February 8, 2024, the Strongsville Planning Commission gave Favorable Recommendation to the following:

ORDINANCE NO. 2024-006:

An Ordinance Amending Sections 1242.07, 1258.04, 1258.11(a), 1258.12 and 1270.05 of Title Six of Part Twelve of the Planning and Zoning Code of the Codified Ordinances of the City of Strongsville, Concerning Permitted Uses and Regulations Regarding Shopping Center Districts, and Declaring an Emergency.

CITY OF STRONGSVILLE, OHIO

RESOLUTION NO. 2024 – 041

By: Mayor Perciak and All Members of Council

A RESOLUTION APPROVING THE APPLICATION OF MERYL HOSSFELD AND CYNTHIA HOSSFELD TO PLACE LAND IN AN AGRICULTURAL DISTRICT.

WHEREAS, Meryl Hossfeld and Cynthia Hossfeld (the "applicants") have filed a renewal application with the Clerk of Council to place Permanent Parcel No. 396-02-001, located at 11698 Handle Road in the City of Strongsville ("applicants' land"), which the applicants have owned for many years, into an agricultural district; and

WHEREAS, through passage of Resolution No. 2019-073, this Council previously approved a prior similar application for the same property; and

WHEREAS, on March 12, 2024, the Cuyahoga County Fiscal Office notified the City that it has approved the application; and

WHEREAS, this Council held a public hearing on April 1, 2024 within the time prescribed by law, to hear the applicants and any public comments in support of and/or against the granting of the application.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF STRONGSVILLE, COUNTY OF CUYAHOGA AND STATE OF OHIO:

Section 1. That this Council finds and determines that the application attached hereto as Exhibit A to place applicants' land comprising some 21.71 acres in an agricultural district is in compliance with law and is hereby approved.

Section 2. That the approval of the application to place applicants' land in an agricultural district shall be for the period commencing on the effective date as established by law and ending no later than five (5) years thereafter.

Section 3. That the Clerk of Council be and is hereby directed to forward a certified copy, return receipt requested, of this Resolution to the applicants and the Cuyahoga County Fiscal Office within five (5) days from the date of adoption of this Resolution in accordance with law.

Section 4. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution 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 action were in compliance with all legal requirements.

Section 5. That this Resolution shall take effect and be in force from and after the earliest period allowed by law.

CITY OF STRONGSVILLE, OHIO
RESOLUTION NO. 2024 – 041
Page 2

President of Council

Date Passed: _____

	<u>Yea</u>	<u>Nay</u>
Carbone	_____	_____
Clark	_____	_____
Kaminski	_____	_____
Kosek	_____	_____
Roff	_____	_____
Short	_____	_____
Spring	_____	_____

Approved: _____
Mayor

Date Approved: _____

Attest: _____
Clerk of Council

Res. Ord. No. 2024-041 Amended: _____
1st Rdg. _____ Ref: _____
2nd Rdg. _____ Ref: _____
3rd Rdg. _____ Ref: _____

Public Hrg. _____ Ref: _____
Adopted: _____ Defeated: _____



Cuyahoga County
Together We Thrive

Fiscal Office
Appraisal Department

RECEIVED
CITY OF STRONGSVILLE
CITY COUNCIL
MAR 12 2022

**ACCEPTANCE OF APPLICATION
FOR PLACEMENT OF FARMLAND
IN AGRICULTURAL DISTRICT
(O.R.C. SECTION 929.02)**

**Hossfeld, Meryl And Cynthia
11698 Handle Rd
Strongsville, Oh 44136**

Monday, March 11, 2024

The Cuyahoga County Fiscal Office is in receipt of your request for placement of farmland in an Agricultural District. We have reviewed the real property identified in your application dated 2/15/2024.

In accordance with Ohio Revised Code Section 929.02, you are hereby notified that your application meets the requirements of an agricultural district and has been approved by the Cuyahoga County Fiscal Office.

In addition, you are required to file this application with the Clerk in your municipality. The legislative body is required to conduct a public hearing on the application within 30 days after the application has been filed with the Clerk. Within 30 days of the hearing, the legislative body may approve the application, modify and approve the application as modified, or reject the application.

The affected permanent parcel numbers and addresses are:

PARCEL ID	ACREAGE	ADDRESS	TAX DISTRICT
396-02-001	21.71	11698 HANDLE RD	650 - STRONGSVILLE

If you have any questions, please e-mail me at Mbrown1@cuyahogacounty.us or call me at 216-698-6590.

Sincerely,

A handwritten signature in blue ink, appearing to read "Michael Brown".

CAUV Coordinator /
Appraisal Systems Analyst

cc: City Of Strongsville
Aimee Pientka, Clerk Of Council
16099 Foltz Pkwy
Strongsville, OH 44136

Lou Gentile, Appraisal Manager

EXHIBIT A

**APPLICATION FOR PLACEMENT OF
FARMLAND IN AN AGRICULTURAL DISTRICT
(O.R.C. Section 929.02)**

(See page 4 for General Information regarding this Application)

New Application _____
Renewal Application ☒

Farm # 39
CAUV application No.

INSTRUCTIONS FOR COMPLETING APPLICATION

Print or type all entries.

- o List description of land as shown on the most recent tax statement or statements. Show total number of acres.
- o Describe location of property by roads, etc., and taxing district where located.
- o State whether any portion of land lies within a municipal corporation.
Note: See "Where to File" on page 4 to be sure that a copy of this Application is also filed with the Clerk of the municipal legislative body as well as the County Auditor.
- o A renewal application must be submitted after the first Monday in January and prior to the first Monday in March of the year in which the agricultural district terminates for the land to be continued in this program.
- o If the acreage totals 10 acres or more, do not complete Part D.
- o If the acreage totals less than 10 acres, complete either D (1) or (2).
- o Do not complete page 3. This space to be completed by the County Auditor and/or Clerk of the municipal legislative body.

A.

Owner's Name: CYNTHIA HOSSFELD
Owner's Address: 11698 HANDLE ROAD STRONGSVILLE, OHIO 44136
Owner's Email (optional):¹ chossfeld@aol.com
Description of Land as Shown on Property Tax Statement: 34 NEP
Location of Property: Street or Road- 11698 HANDLE ROAD, STRONGSVILLE, OHIO 44136 County- CUYAHOGA COUNTY

TAX DISTRICT(S)	PARCEL NUMBER(S)	# of Acres
STRONGSVILLE	396-02-001	21.71
Total Number of Acres		21.71

- B.** Does any of the land lie within a municipal corporation limit or subject to pending annexation?
Yes ☒ No ☒

If YES, REMEMBER a copy of this application must be submitted to the Clerk of the municipal legislative body.

¹ Enter the "internet identifier record" typically know as an electronic mail address, or any other designation used for self-identification or routing in internet communication or posting, provided for the purpose of receiving communication.

- C. Is the land presently being taxed at its current agricultural use valuation under Section 5713.31 of the Ohio Revised Code? Yes ☒ No ☐

If NO, complete the following showing how the land was used the past three years:

	<u>ACRES</u>		
	LAST YEAR	TWO YEARS AGO	THREE YEARS AGO
Cropland			
Permanent Pasture used for animal husbandry			
Woodland devoted to commercial timber and nursery stock			
Land Retirement or Conservation Program pursuant to an agreement with a federal agency			
Building areas devoted to agricultural production			
Roads, building areas, and all other areas not used for agricultural production			
Total Acres			

- D. Does the land for which the application is being made total 10 acres or more devoted exclusively to agricultural production or devoted to and qualified for payments or other compensation under a land retirement or conservation program under an agreement with an agency of the federal government?

Yes ☒ No ☐

If NO, complete the following:

1. Attach evidence of the gross income for each of the past 3 years, if the average yearly income from agricultural production was at least twenty-five hundred (\$2,500.00) dollars or more, or
2. If the owner anticipates that the land will produce an annual gross income of twenty-five hundred (\$2,500.00) dollars or more, evidence must be attached showing the anticipated gross income.

Authorization and Declaration

By signing this application, I authorize the county auditor or his duly appointed agent to inspect the property described above to verify the accuracy of this application. I declare this application (including accompanying exhibits) has been examined by me and to the best of my knowledge and belief is a true, accurate and correct application. I understand that land removed from this program before the 5-year enrollment period is subject to penalty, in accordance with Section 929.02(D) of the Ohio Revised Code.

Signature of Owner:

Date:

Cynthia E. Hossfeld

2/12/2024

DO NOT COMPLETE FOR OFFICIAL USE ONLY

CAUV Application No. Form# 39

Action of County Auditor

Application Approved ☒ Rejected ☐ *

Date Application Filed with County Auditor 2/15/24

Date Filed (if required) with Clerk of Municipal Corporation 3/11/24

County Auditor's Signature [Signature] Date 3/11/24

Date Decision Mailed and Emailed¹ to Applicant 3/11/24

Email Address¹ chozafeld@aol.com

OR

Date Decision Sent Certified Mail to Applicant _____

Certified Mail No. _____

Action of Legislative Body of Municipal Corporation

Application Approved ☐ Approved with Modifications ☐ * Rejected ☐ *

Date Application Filed with Clerk _____

Date of Public Hearing _____

Date of Legislative Action _____

Clerk's Signature _____ Date _____

Date Decision Mailed and Emailed¹ to Applicant _____

Email Address¹ chozafeld@aol.com

OR

Date Decision Sent Certified Mail to Applicant _____

Certified Mail No. _____

* IF MODIFIED OR REJECTED, ATTACH SPECIFIC REASONS FOR MODIFICATION OR REJECTION

¹ Enter the "internet identifier record" typically know as an electronic mail address, or any other designation used for self-identification or routing in internet communication or posting, provided for the purpose of receiving communication.

INFORMATION FOR PLACEMENT OF FARMLAND IN AN AGRICULTURAL DISTRICT

A. WHO MAY FILE?

Any owner of land used for agricultural production may file an application to have the land placed in an agricultural district.

B. WHERE TO FILE

The completed application must be filed with the auditor of the county where the land is located. The applicant will be notified of action taken by the county auditor within 30 days of the filing of the application if the land is not within a municipal corporation or an annexation petition has not been filed. If the land for which an application has been made lies within a municipal corporation limit or if an annexation petition that includes the land has been filed with the Board of County Commissioners under Section 709.02 of the Ohio Revised Code, a copy of the application must also be filed with the Clerk of the legislative body of the municipal corporation. The legislative body is required to conduct a public hearing on the application within 30 days after the application has been filed with the Clerk. Within 30 days of the hearing, the legislative body may approve the application, modify and approve the application as modified, or reject the application.

C. WHEN TO FILE AND RENEWAL

The original application may be filed at any time for placement of land in an agricultural district for a five-year period. If at the end of five years, the owner decides to keep some or all of his or her land in a district, he or she shall submit a renewal application and must meet the same land requirements and use the same application process as the original application. The renewal application may be filed at any time after the first Monday in January and prior to the first Monday in March of the year during which an agricultural district terminates, for a period of time ending on the first Monday in April of the fifth year following the renewal application.

D. WHAT IS "LAND USED FOR AGRICULTURAL PRODUCTION?"

In accordance with Section 929.01(A) of the Revised Code, land is devoted to "agricultural production" when it is used for commercial aquaculture, apiculture, animal husbandry, poultry husbandry; the production for a commercial purpose of field crops, tobacco, fruits, vegetables, timber, nursery stock, ornamental shrubs, ornamental trees; flowers or sod; the growth of timber for a noncommercial purpose if the land on which the timber is grown is contiguous to or part of a parcel of land under common ownership that is otherwise devoted exclusively to agricultural use; or any combination of such husbandry, production, or growth; and includes the processing, drying, storage and marketing of agricultural products when those activities are conducted in conjunction with such husbandry, production, or growth.

"Agricultural production" includes conservation practices provided that the tracts, lots, or parcels of the land or portions thereof that are used for conservation practices comprise not more than twenty-five percent of tracts, lots, or parcels of land that are otherwise devoted exclusively to agricultural use and for which an application is filed.

"Conservation practices" are practices used to abate soil erosion as required in the management of the farming operation, and include, but are not limited to, the installation, construction, development, planting, or use of grass waterways, terraces, diversions, filter strips, field borders, windbreaks, riparian buffers, wetlands, ponds, and cover crops for that purpose.

E. WHAT DOES "TRACTS, LOTS, OR PARCELS OF LAND" MEAN?

Tracts, lots, or parcels mean distinct portions of pieces of land (not necessarily contiguous) where the title is held by one owner, as listed on the tax list and duplicate of the county, is in agricultural production and conforms with the requirements of either D1, D2, or D3 below.

F. ARE THERE ANY OTHER REQUIREMENTS?

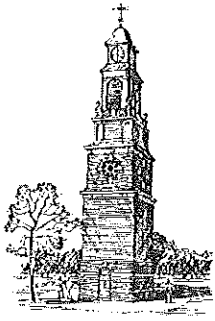
1. The land for which the application is made must have been used exclusively for agricultural production or devoted to and qualified for payments or other compensation under a land retirement or conservation program under an agreement with a federal agency for the three consecutive calendar years prior to the year in which application is made. Evidence must be shown on the application. If the land contains timber which is not being grown for commercial purposes the land on which the timber is growing must be contiguous to or part of a parcel under common ownership that is otherwise devoted exclusively to agricultural use.
2. If the total amount of land for which application is made is less than 10 acres, there is an additional requirement that the applicant submit evidence with his application that the activities conducted on the land have produced an average yearly gross income of at least twenty-five hundred dollars over the three years immediately preceding the year in which application is made or that the land will produce an anticipated annual gross income of that amount.
3. Evidence of annual gross income may be satisfied by attaching to the application form a short statement stating the number of animals by species and anticipated market value, number of acres of crops to be grown, their expected yield and price per bushel or similar specific information.

G. IS THERE A PENALTY FOR EARLY WITHDRAWAL?

Land removed from this program before the 5-year enrollment period is subject to penalty, per Section 929.02(D) of the Ohio Revised Code. See County Auditor's Office for details on how the amount of the withdrawal penalty is determined.

H. APPEAL OF APPLICATION

The applicant may appeal the denial of the application to the court of common pleas of the county in which the application was filed within thirty days of the receipt of the notice denying the application. When the land lies within a municipality the applicant may also appeal a decision to modify or reject an application to the court of common pleas of the county in which the application was filed within thirty days of the receipt of the notice of modification or rejection. In addition, the applicant may withdraw an application modified by a legislative body if he or she disapproves of the modifications.



City of Strongsville

16099 Foltz Parkway
Strongsville, Ohio 44149-5598
Phone: 440-580-3110
www.strongsville.org

Legal Advertisement

City Council

James A. Kaminski
Ward 1

Annmarie P. Roff
Ward 2

Thomas M. Clark
Ward 3

Gordon C. Short
Ward 4

James E. Carbone
At-Large

Kelly A. Kosek
At-Large

Brian M. Spring
At-Large

Aimee Pientka, MMC
Clerk of Council

CITY OF STRONGSVILLE, OHIO

NOTICE OF PUBLIC HEARING

Notice is hereby given that a Public Hearing will be conducted by the Council of the City of Strongsville on **Monday, April 1, 2024 at 7:00 p.m., current time**, in the Mike Kalinich, Sr. City Council Chamber, 18688 Royalton Road, Strongsville, Ohio, upon the following Applications, which were filed with the Clerk of Council of the City of Strongsville, entitled:

- Application for Placement of Farmland in an Agricultural District: Renewal Application made by Susan L. Schnittke. Location of Property: 11291 Handle Road, Strongsville, Ohio 44136; Permanent Parcel No. 398-13-016. The Application, dated 01/22/24, was approved by the Cuyahoga County Fiscal Officer on 03/11/24 as having met the requirements of an agricultural district. The application was filed with the Clerk of Council of the City of Strongsville on March 12, 2024 (via email).
- Application for Placement of Farmland in an Agricultural District: Renewal Application made by Meryl and Cynthia Hossfeld. Location of Property: 11698 Handle Road, Strongsville, Ohio 44136; Permanent Parcel No. 396-02-001. The Application, dated 02/12/24, was approved by the Cuyahoga County Fiscal Officer on 03/11/24 as having met the requirements of an agricultural district. The application was filed with the Clerk of Council of the City of Strongsville on March 12, 2024 (via email).

The Applications are on file in the office of the Clerk of Council, 16099 Foltz Parkway, Strongsville, Ohio, for public inspection.

Any interested person or representative of an interested person may appear at the time and place set forth above in support of or to contest the granting of the Applications.

BY ORDER OF THE COUNCIL OF THE CITY OF STRONGSVILLE, OHIO:

Aimee Pientka, MMC
Clerk of Council

Editor's Note: To be published in The Plain Dealer on **March 24, 2024**.
To be published in The Post Newspaper on **March 23, 2024**.

CITY OF STRONGSVILLE, OHIO

RESOLUTION NO. 2024 – 042

By: Mayor Perciak and All Members of Council

A RESOLUTION APPROVING THE APPLICATION OF SUSAN LEA SCHNITTKE TO PLACE LAND IN AN AGRICULTURAL DISTRICT.

WHEREAS, Susan Lea Schnittke (the "applicant") has filed a renewal application with the Clerk of Council to place Permanent Parcel No. 398-13-016, located at 11291 Handle Road in the City of Strongsville ("applicant's land"), which the applicant has owned for many years, into an agricultural district; and

WHEREAS, through passage of Resolution No. 2019-072, this Council previously approved a prior similar application for the same property; and

WHEREAS, on March 12, 2024, the Cuyahoga County Fiscal Office notified the City that it has approved the application; and

WHEREAS, this Council held a public hearing on April 1, 2024, within the time prescribed by law, to hear the applicant and any public comments in support of and/or against the granting of the application.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF STRONGSVILLE, COUNTY OF CUYAHOGA AND STATE OF OHIO:

Section 1. That this Council finds and determines that the application attached hereto as Exhibit A to place applicant's land comprising some 4.9 acres in an agricultural district is in compliance with law and is hereby approved.

Section 2. That the approval of the application to place applicant's land in an agricultural district shall be for the period commencing on the effective date as established by law and ending no later than five (5) years thereafter.

Section 3. That the Clerk of Council be and is hereby directed to forward a certified copy, return receipt requested, of this Resolution to the applicant and the Cuyahoga County Fiscal Office within five (5) days from the date of adoption of this Resolution in accordance with law.

Section 4. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution 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 action were in compliance with all legal requirements.

Section 5. That this Resolution shall take effect and be in force from and after the earliest period allowed by law.

CITY OF STRONGSVILLE, OHIO
RESOLUTION NO. 2024 – 042
Page 2

President of Council

Date Passed: _____

	<u>Yea</u>	<u>Nay</u>
Carbone	_____	_____
Clark	_____	_____
Kaminski	_____	_____
Kosek	_____	_____
Roff	_____	_____
Short	_____	_____
Spring	_____	_____

Approved: _____
Mayor

Date Approved: _____

Attest: _____
Clerk of Council

Res.
Ord. No. 2024-042 Amended: _____
1st Rdg. _____ Ref: _____
2nd Rdg. _____ Ref: _____
3rd Rdg. _____ Ref: _____

Public Hrg. _____ Ref: _____
Adopted: _____ Defeated: _____



Cuyahoga County
Together We Thrive

Fiscal Office
Appraisal Department

RECEIVED
MAR 12 2022

CITY OF STRONGSVILLE
CITY COUNCIL

**ACCEPTANCE OF APPLICATION
FOR PLACEMENT OF FARMLAND
IN AGRICULTURAL DISTRICT
(O.R.C. SECTION 929.02)**

**Schnittke, Susan L.
11291 Handle Rd
Strongsville, Oh 44136**

Monday, March 11, 2024

The Cuyahoga County Fiscal Office is in receipt of your request for placement of farmland in an Agricultural District. We have reviewed the real property identified in your application dated 1/22/2024.

In accordance with Ohio Revised Code Section 929.02, you are hereby notified that your application meets the requirements of an agricultural district and has been approved by the Cuyahoga County Fiscal Office.

In addition, you are required to file this application with the Clerk in your municipality. The legislative body is required to conduct a public hearing on the application within 30 days after the application has been filed with the Clerk. Within 30 days of the hearing, the legislative body may approve the application, modify and approve the application as modified, or reject the application.

The affected permanent parcel numbers and addresses are:

PARCEL ID	ACREAGE	ADDRESS	TAX DISTRICT
398-13-016	4.902	11291 HANDLE RD	650 - STRONGSVILLE

If you have any questions, please e-mail me at Mbrown1@cuyahogacounty.us or call me at 216-698-6590.

Sincerely,

A handwritten signature in blue ink, appearing to read "Michael Brown".

CAUV Coordinator /
Appraisal Systems Analyst

cc: City Of Strongsville
Aimee Pientka, Clerk Of Council
16099 Foltz Pkwy
Strongsville, OH 44136

Lou Gentile, Appraisal Manager

EXHIBIT A

**APPLICATION FOR PLACEMENT OF
FARMLAND IN AN AGRICULTURAL DISTRICT
(O.R.C. Section 929.02)**

(See page 4 for General Information regarding this Application)

New Application _____
Renewal Application ☒

FARM # 40

INSTRUCTIONS FOR COMPLETING APPLICATION

Print or type all entries.

- o List description of land as shown on the most recent tax statement or statements. Show total number of acres.
- o Describe location of property by roads, etc., and taxing district where located.
- o State whether any portion of land lies within a municipal corporation.
Note: See "Where to File" on page 4 to be sure that a copy of this Application is also filed with the Clerk of the municipal legislative body as well as the County Auditor.
- o A renewal application must be submitted after the first Monday in January and prior to the first Monday in March of the year in which the agricultural district terminates for the land to be continued in this program.
- o If the acreage totals 10 acres or more, do not complete Part D.
- o If the acreage totals less than 10 acres, complete either D (1) or (2).
- o Do not complete page 3. This space to be completed by the County Auditor and/or Clerk of the municipal legislative body.

A. Owner's Name: SUSAN L. SCHNITZKE

Owner's Address: 11291 HANDLE RD.
STRONGSVILLE OH 44136

Owner's Email (optional):¹ SLS EQUUS @ AOL.COM

Description of Land as Shown on Property Tax Statement:
PARCEL # 398-13-016
EAST OF HANDLE RD.
1/2 MILE SOUTH OF ABBIOT RD.

Location of Property:
Street or Road- 11291 HANDLE RD.
County- CUYAHOGA

TAX DISTRICT(S)	PARCEL NUMBER(S)	# of Acres
STRONGSVILLE CITY - 650	398-13-016	4.902
Total Number of Acres		4.902

- B. Does any of the land lie within a municipal corporation limit or subject to pending annexation?**
Yes ☒ No ☐

If YES, REMEMBER a copy of this application must be submitted to the Clerk of the municipal legislative body.

¹ Enter the "internet identifier record" typically know as an electronic mail address, or any other designation used for self-identification or routing in internet communication or posting, provided for the purpose of receiving communication.

- C. Is the land presently being taxed at its current agricultural use valuation under Section 5713.31 of the Ohio Revised Code?

Yes ☒ No ☐

If NO, complete the following showing how the land was used the past three years:

	<u>ACRES</u>		
	LAST YEAR	TWO YEARS AGO	THREE YEARS AGO
Cropland			
Permanent Pasture used for animal husbandry			
Woodland devoted to commercial timber and nursery stock			
Land Retirement or Conservation Program pursuant to an agreement with a federal agency			
Building areas devoted to agricultural production			
Roads, building areas, and all other areas not used for agricultural production			
Total Acres			

- D. Does the land for which the application is being made total 10 acres or more devoted exclusively to agricultural production or devoted to and qualified for payments or other compensation under a land retirement or conservation program under an agreement with an agency of the federal government?

Yes ☐ No ☒

If NO, complete the following:

1. Attach evidence of the gross income for each of the past 3 years, if the average yearly income from agricultural production was at least twenty-five hundred (\$2,500.00) dollars or more, or
2. If the owner anticipates that the land will produce an annual gross income of twenty-five hundred (\$2,500.00) dollars or more, evidence must be attached showing the anticipated gross income.

Authorization and Declaration

By signing this application, I authorize the county auditor or his duly appointed agent to inspect the property described above to verify the accuracy of this application. I declare this application (including accompanying exhibits) has been examined by me and to the best of my knowledge and belief is a true, accurate and correct application. I understand that land removed from this program before the 5-year enrollment period is subject to penalty, in accordance with Section 929.02(D) of the Ohio Revised Code.

Signature of Owner:

Date:

Susan L. Schmittke

1/22/24

DO NOT COMPLETE FOR OFFICIAL USE ONLY

CAUV Application No. Forest # 40

Action of County Auditor

Application Approved ✓ Rejected _____ *

Date Application Filed with County Auditor 2/9/24

Date Filed (if required) with Clerk of Municipal Corporation 3/11/24

County Auditor's Signature [Signature] Date 3/11/24

Date Decision Mailed and Emailed¹ to Applicant 3/11/24

Email Address¹ s/seguus@aol.com

OR

Date Decision Sent Certified Mail to Applicant _____

Certified Mail No. _____

Action of Legislative Body of Municipal Corporation

Application Approved _____ Approved with Modifications _____ * Rejected _____ *

Date Application Filed with Clerk _____

Date of Public Hearing _____

Date of Legislative Action _____

Clerk's Signature _____ Date _____

Date Decision Mailed and Emailed¹ to Applicant _____

Email Address¹ _____

OR

Date Decision Sent Certified Mail to Applicant _____

Certified Mail No. _____

* IF MODIFIED OR REJECTED, ATTACH SPECIFIC REASONS FOR MODIFICATION OR REJECTION

¹ Enter the "internet identifier record" typically know as an electronic mail address, or any other designation used for self-identification or routing in internet communication or posting, provided for the purpose of receiving communication.

INFORMATION FOR PLACEMENT OF FARMLAND IN AN AGRICULTURAL DISTRICT

A. WHO MAY FILE?

Any owner of land used for agricultural production may file an application to have the land placed in an agricultural district.

B. WHERE TO FILE

The completed application must be filed with the auditor of the county where the land is located. The applicant will be notified of action taken by the county auditor within 30 days of the filing of the application if the land is not within a municipal corporation or an annexation petition has not been filed. If the land for which an application has been made lies within a municipal corporation limit or if an annexation petition that includes the land has been filed with the Board of County Commissioners under Section 709.02 of the Ohio Revised Code, a copy of the application must also be filed with the Clerk of the legislative body of the municipal corporation. The legislative body is required to conduct a public hearing on the application within 30 days after the application has been filed with the Clerk. Within 30 days of the hearing, the legislative body may approve the application, modify and approve the application as modified, or reject the application.

C. WHEN TO FILE AND RENEWAL

The original application may be filed at any time for placement of land in an agricultural district for a five-year period. If at the end of five years, the owner decides to keep some or all of his or her land in a district, he or she shall submit a renewal application and must meet the same land requirements and use the same application process as the original application. The renewal application may be filed at any time after the first Monday in January and prior to the first Monday in March of the year during which an agricultural district terminates, for a period of time ending on the first Monday in April of the fifth year following the renewal application.

D. WHAT IS "LAND USED FOR AGRICULTURAL PRODUCTION?"

In accordance with Section 929.01(A) of the Revised Code, land is devoted to "agricultural production" when it is used for commercial aquaculture, apiculture, animal husbandry, poultry husbandry; the production for a commercial purpose of field crops, tobacco, fruits, vegetables, timber, nursery stock, ornamental shrubs, ornamental trees; flowers or sod; the growth of timber for a noncommercial purpose if the land on which the timber is grown is contiguous to or part of a parcel of land under common ownership that is otherwise devoted exclusively to agricultural use; or any combination of such husbandry, production, or growth; and includes the processing, drying, storage and marketing of agricultural products when those activities are conducted in conjunction with such husbandry, production, or growth.

"Agricultural production" includes conservation practices provided that the tracts, lots, or parcels of the land or portions thereof that are used for conservation practices comprise not more than twenty-five percent of tracts, lots, or parcels of land that are otherwise devoted exclusively to agricultural use and for which an application is filed.

"Conservation practices" are practices used to abate soil erosion as required in the management of the farming operation, and include, but are not limited to, the installation, construction, development, planting, or use of grass waterways, terraces, diversions, filter strips, field borders, windbreaks, riparian buffers, wetlands, ponds, and cover crops for that purpose.

E. WHAT DOES "TRACTS, LOTS, OR PARCELS OF LAND" MEAN?

Tracts, lots, or parcels mean distinct portions of pieces of land (not necessarily contiguous) where the title is held by one owner, as listed on the tax list and duplicate of the county, is in agricultural production and conforms with the requirements of either D1, D2, or D3 below.

F. ARE THERE ANY OTHER REQUIREMENTS?

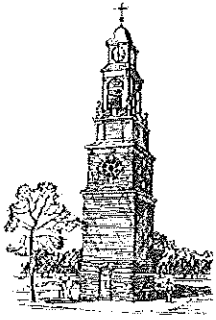
1. The land for which the application is made must have been used exclusively for agricultural production or devoted to and qualified for payments or other compensation under a land retirement or conservation program under an agreement with a federal agency for the three consecutive calendar years prior to the year in which application is made. Evidence must be shown on the application. If the land contains timber which is not being grown for commercial purposes the land on which the timber is growing must be contiguous to or part of a parcel under common ownership that is otherwise devoted exclusively to agricultural use.
2. If the total amount of land for which application is made is less than 10 acres, there is an additional requirement that the applicant submit evidence with his application that the activities conducted on the land have produced an average yearly gross income of at least twenty-five hundred dollars over the three years immediately preceding the year in which application is made or that the land will produce an anticipated annual gross income of that amount.
3. Evidence of annual gross income may be satisfied by attaching to the application form a short statement stating the number of animals by species and anticipated market value, number of acres of crops to be grown, their expected yield and price per bushel or similar specific information.

G. IS THERE A PENALTY FOR EARLY WITHDRAWAL?

Land removed from this program before the 5-year enrollment period is subject to penalty, per Section 929.02(D) of the Ohio Revised Code. See County Auditor's Office for details on how the amount of the withdrawal penalty is determined.

H. APPEAL OF APPLICATION

The applicant may appeal the denial of the application to the court of common pleas of the county in which the application was filed within thirty days of the receipt of the notice denying the application. When the land lies within a municipality the applicant may also appeal a decision to modify or reject an application to the court of common pleas of the county in which the application was filed within thirty days of the receipt of the notice of modification or rejection. In addition, the applicant may withdraw an application modified by a legislative body if he or she disapproves of the modifications.



City of Strongsville

16099 Foltz Parkway
Strongsville, Ohio 44149-5598
Phone: 440-580-3110
www.strongsville.org

Legal Advertisement

City Council

James A. Kaminski
Ward 1

Annmarie P. Roff
Ward 2

Thomas M. Clark
Ward 3

Gordon C. Short
Ward 4

James E. Carbone
At-Large

Kelly A. Kosek
At-Large

Brian M. Spring
At-Large

Aimee Pientka, MMC
Clerk of Council

CITY OF STRONGSVILLE, OHIO

NOTICE OF PUBLIC HEARING

Notice is hereby given that a Public Hearing will be conducted by the Council of the City of Strongsville on **Monday, April 1, 2024 at 7:00 p.m., current time**, in the Mike Kalinich, Sr. City Council Chamber, 18688 Royalton Road, Strongsville, Ohio, upon the following Applications, which were filed with the Clerk of Council of the City of Strongsville, entitled:

- Application for Placement of Farmland in an Agricultural District: Renewal Application made by Susan L. Schnittke. Location of Property: 11291 Handle Road, Strongsville, Ohio 44136; Permanent Parcel No. 398-13-016. The Application, dated 01/22/24, was approved by the Cuyahoga County Fiscal Officer on 03/11/24 as having met the requirements of an agricultural district. The application was filed with the Clerk of Council of the City of Strongsville on March 12, 2024 (via email).
- Application for Placement of Farmland in an Agricultural District: Renewal Application made by Meryl and Cynthia Hossfeld. Location of Property: 11698 Handle Road, Strongsville, Ohio 44136; Permanent Parcel No. 396-02-001. The Application, dated 02/12/24, was approved by the Cuyahoga County Fiscal Officer on 03/11/24 as having met the requirements of an agricultural district. The application was filed with the Clerk of Council of the City of Strongsville on March 12, 2024 (via email).

The Applications are on file in the office of the Clerk of Council, 16099 Foltz Parkway, Strongsville, Ohio, for public inspection.

Any interested person or representative of an interested person may appear at the time and place set forth above in support of or to contest the granting of the Applications.

BY ORDER OF THE COUNCIL OF THE CITY OF STRONGSVILLE, OHIO:

Aimee Pientka, MMC
Clerk of Council

Editor's Note: To be published in The Plain Dealer on **March 24, 2024.**
To be published in The Post Newspaper on **March 23, 2024.**