

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2016 – 160

By: Mr. Daymut

AN ORDINANCE ACCEPTING FOR RECORDING PURPOSES THE LOT SPLIT PLAT FOR A SUBDIVISION FOR MICHAEL L. PERRY, TRUSTEE, FOR PERMANENT PARCEL NO. 394-32-013, LOCATED AT 19408 BOSTON ROAD, AND DECLARING AN EMERGENCY.

WHEREAS, the lot split plat of Permanent Parcel No. 394-32-013, located at 19408 Boston Road, and known as a Subdivision for Michael L. Perry, Trustee, is being submitted to this Council for review pursuant to Title Four of Part Twelve of the Codified Ordinances of the City of Strongsville; and

WHEREAS, the Codified Ordinances of the City and the minimum standards for improvements required for the subdivision of land adopted therein require the installation of sanitary sewers to certain specifications unless a deviation from those standards is approved by the Planning Commission pursuant to C.O. Section 1228.01(i); and

WHEREAS, Michael L. Perry, Trustee, as principal for the Subdivision, and an owner of Permanent Parcel No. 394-32-013, located at 19408 Boston Road, and zoned R1-75, submitted the lot split plat to the Planning Commission of the City of Strongsville, and requested a deviation to permit a subdivision without sanitary sewers; and the Planning Commission approved the subdivision and the requested deviation on July 28, 2016, subject to certain conditions; and

WHEREAS, the Engineer of the City of Strongsville has reviewed the plat and documents, and finds them in good order and has approved them, and, therefore, has recommended to the Planning Commission and this Council that this Subdivision be approved for recording purposes, and that the deviation from minimum standards requested be given favorable consideration; and

WHEREAS, this Council desires to approve the deviation and the aforesaid subdivision plat for recording purposes.

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

Section 1. That this Council hereby finds and determines that the lot split of Permanent Parcel No. 394-32-013, located at 19408 Boston Road, and known as a Subdivision owned by Michael L. Perry, Trustee, without sanitary sewers, as shown on Exhibit A attached hereto and incorporated herein as if fully rewritten, will be equally as effective, safe, adequate and desirable as the improvement would be under such

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standards, and that the improvement under the proposed deviation will perform the same function as and have a life of usefulness equal to the improvement made pursuant to such standards; the strict application of the minimum standards to improvements which are under construction or which have been fully planned and contracted for at the time this section became effective would cause extreme undue hardship or practical difficulty; and that such deviation will be in harmony with the general purpose and intent of the minimum subdivision standards and will not interfere with the public health, safety or general welfare.

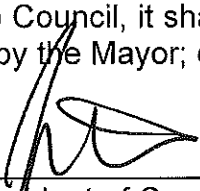
Section 2. That a deviation in minimum subdivision standards for the purposes of subdividing Permanent Parcel No. 394-32-013, without sanitary sewers, as shown on Exhibit A, be and is hereby approved.

Section 3. That, pursuant to the provisions of C.O. Section 1228.01(i), this Council hereby confirms the deviation from the minimum standards for improvements required for the subdivision of these lands approved by the Planning Commission on July 28, 2016, subject to certain conditions ordered by the Planning Commission.

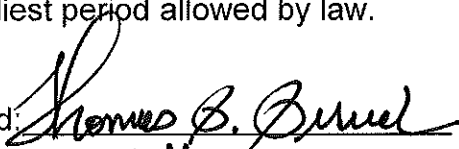
Section 4. That the Council of the City of Strongsville does hereby approve the lot split plat of the Subdivision, submitted by Michael L. Perry, Trustee, an owner of the Subdivision, for Permanent Parcel No. 394-32-013, as set out in attached Exhibit A, for recording purposes.

Section 5. 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 the 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 6. That this Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of the City, and for the further reason that it is immediately necessary to assure proper development of all lots and land within the City of Strongsville. 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.



President of Council

Approved: 

Mayor

Date Passed: September 6, 2016

Date Approved: Sept. 7, 2016

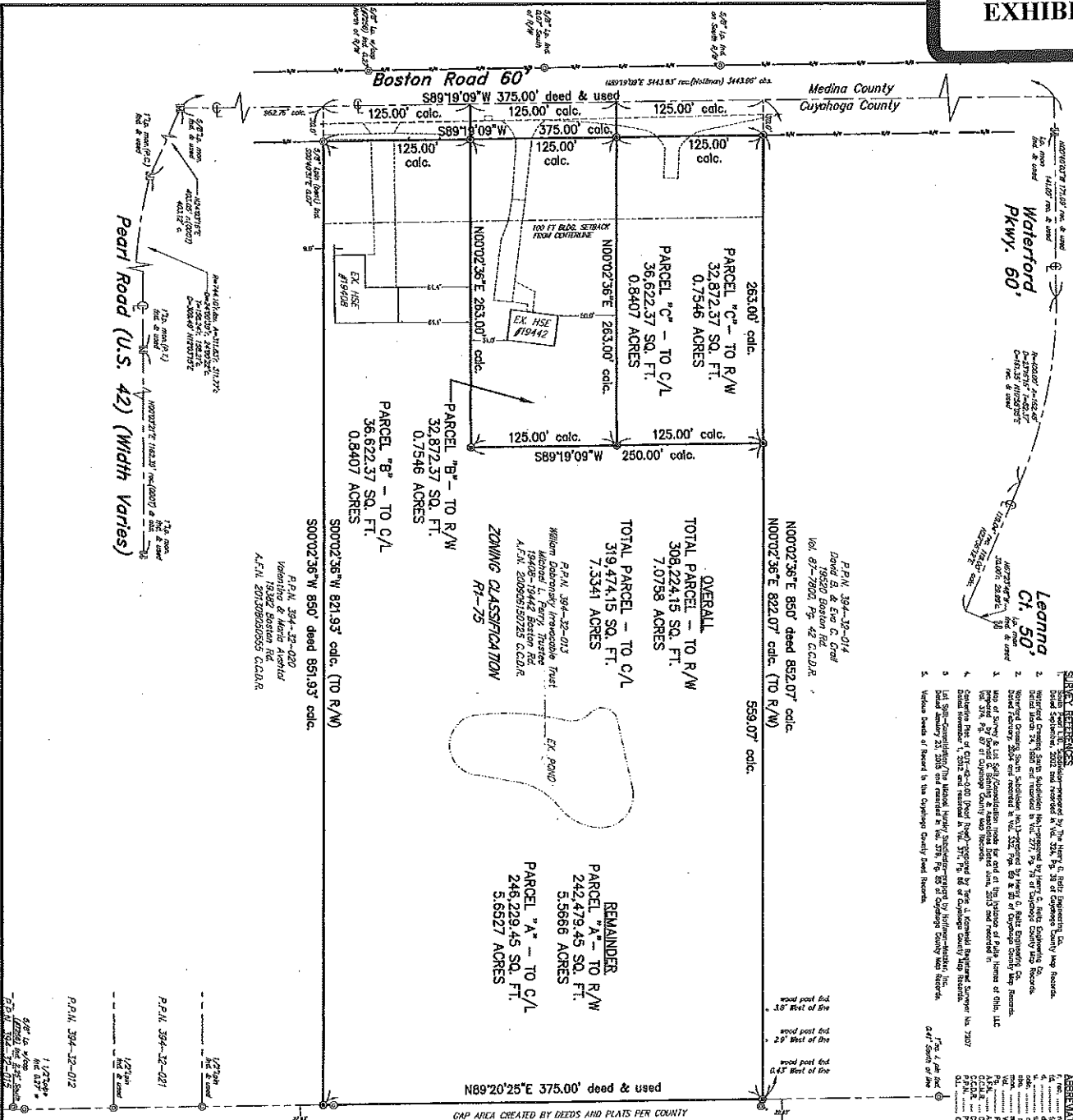
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| | <u>Yea</u> | <u>Nay</u> |
|------------|-------------------------------------|------------|
| Carbone | <input checked="" type="checkbox"/> | _____ |
| Daymut | <input checked="" type="checkbox"/> | _____ |
| DeMio | <input checked="" type="checkbox"/> | _____ |
| Dooner | <input checked="" type="checkbox"/> | _____ |
| Schonhut | <input checked="" type="checkbox"/> | _____ |
| Short | <input checked="" type="checkbox"/> | _____ |
| Southworth | <input checked="" type="checkbox"/> | _____ |

Attest: Aimee Piotka
Clerk of Council

ORD. No. 2016-160 Amended: _____
1st Rdg. 09-06-16 Ref: _____
2nd Rdg. Suspended Ref: _____
3rd Rdg. Suspended Ref: _____

Pub Hrg. _____ Ref: _____
Adopted: 09-06-16 Defeated: _____



THE INTENT OF THIS PLAT IS TO
SUBDIVIDE EXISTING COUNTY PARCEL
PPN 394-32-013 & CREATE NEW
PARCELS "A", "B", AND "C"
AS SHOWN HEREON.

SITUATED IN THE CITY OF STRONGSVILLE, COUNTY OF CUYAHOGA,
 STATE OF OHIO AND KNOWN AS BEING PART OF
 ORIGINAL STRONGSVILLE TOWNSHIP, T10N, R10E, S04.

APPROVALS

PLANNING COMMISSION:
 This Plat is approved by the Planning Commission of the City of Strongsville
 on _____ day of _____, 20____.

CITY ENGINEER:
 This Plat is approved by the City Engineer of the City of Strongsville
 on _____ day of _____, 20____.

CITY COUNCIL:
 This Plat is approved by the Council of the City of Strongsville
 on _____ day of _____, 20____.

APPROPRIATE PLANNING COMMISSION:
 This Plat is approved by the _____ Planning Commission
 on _____ day of _____, 20____.

ADVERTISE
 I, Michael J. Perry, Trustee of the William Debonary Irrevocable Trust, 19408-19442 Boston Rd, A.F.N. 201304100563 C.C.D.R. do hereby certify that the Plat of Lot Split and Subdivision of Parcel 'C' of P.P.N. 394-32-013 is a true and correct copy of the original Plat of Lot Split and Subdivision of Parcel 'C' of P.P.N. 394-32-013 as shown hereon.

STATEMENT OF CERTIFICATION
 I, Michael J. Perry, Trustee of the William Debonary Irrevocable Trust, do hereby certify that the Plat of Lot Split and Subdivision of Parcel 'C' of P.P.N. 394-32-013 is a true and correct copy of the original Plat of Lot Split and Subdivision of Parcel 'C' of P.P.N. 394-32-013 as shown hereon.

NEFF & ASSOCIATES
 204 Engineers & Landscapers, Inc. • P.O. Box 1000
 44130 Strongsville, Ohio • Phone: 441.381.1000 • Fax: 441.381.1001

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MEMORANDUM

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

FROM: Carol Oprea, Administrative Assistant, Boards & Commissions

SUBJECT: Referrals to Council

DATE: July 29, 2016

Please be advised that at its meeting of July 28, 2016, the Strongsville Planning Commission gave Favorable Recommendation to the following;

MITCHELL'S ICE CREAM/ Matt Plecnik, Agent

- a) Certificate of Appropriateness for a 2,980 SF Ice Cream Store to be located on Westwood Drive, PPN 396-10-016 zoned Restaurant Recreational.
- b) Site Plan approval of a 2,980 SF Ice Cream Store to be located on Westwood Drive, PPN 396-10-016 zoned Restaurant Recreational **subject to the Engineering Report.** **BZA Variance Granted 6-22-16. *ARB Favorable Recommendation 7-12-16.*

MICHAEL L. PERRY/ MICHAEL PERRY, PRINCIPAL

- a) Deviation to permit a subdivision without sanitary sewers at 19408 Boston Road, PPN 394-32-013 zoned R1-75, pursuant to Codified Ordinance Section 1228.01(i).
- b) Subdivision of PPN 394-32-013, property located at 19408 Boston Road zoned R1-75 **should be made subject to the location of the septic systems on the two homes and if necessary an easement for the discharge.**

ALTENHEIM SENIOR LIVING SHORT TERM REHAB AND MEMORY CARE/ Rudy Jovanov, Agent

- a) Vacation of current Storm Sewer Easement and acceptance of the relocated Storm Sewer Easement by the City **subject receipt of the final easements by the Law Office on the vacation.**
- b) Site Plan approval of a proposed 52,521 SF addition to the current Short Term Rehab and Memory Care buildings for property located at 18627 Shurmer Road, PPN 397-01-006 and 012 zoned Public Facility and Senior Residence 1 **subject to Fire and Engineering Reports.** **ARB Favorable Recommendation 7-12-16.*

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ORDINANCE NO. 2016-056

An Ordinance Amending the Zoning Map of the City of Strongsville adopted by Section 1250.03 of Title Six, Part Twelve of the Codified Ordinances of Strongsville to change the zoning classification of certain real estate located at 9200 Pearl Road in the City of Strongsville from R-RS (Restaurant-Recreational Services) classification to MS (~~Motorist Service~~) CS (Commercial Service) Classification (PPN 395-03-006), and Declaring an Emergency, As Amended.