

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2016 – 072

By: Mr. Daymut

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 PROPERTY LOCATED AT 19132 TEMPLE DRIVE (PPNs 393-19-016 and 393-19-017) IN THE CITY OF STRONGSVILLE, FROM PF (PUBLIC FACILITIES) CLASSIFICATION TO OB (OFFICE BUILDING) CLASSIFICATION.

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

Section 1. That the Zoning Map of the City of Strongsville, adopted by Section 1250.03 of Title Six, Part Twelve of the Codified Ordinances of Strongsville, be amended to change the zoning classification of certain property located at 19132 Temple Drive (PPNs 393-19-016 and 393-19-017), from PF (Public Facilities) classification to OB (Office Building) classification, which property is more fully described in Exhibit "A" and as depicted in Exhibit "B", attached hereto and incorporated herein as if fully rewritten.

Section 2. That the Clerk of Council is hereby authorized to cause the necessary change on the Zoning Map to be made in order to reflect the zoning change in classification as provided in this Ordinance.

Section 3. 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 4. That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

First Reading: April 4, 2016

Referred to Planning Commission

Second Reading: April 18, 2016

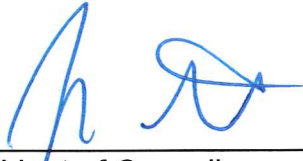
April 5, 2016

Third Reading: June 6, 2016

Favorable recommendation by Planning Commission
Approved: April 14, 2016

Public Hearing: June 6, 2016

CITY OF STRONGSVILLE, OHIO
ORDINANCE NO. 2016 – 072
Page 2



President of Council

Approved: 

Mayor

Date Passed: June 6, 2016

Date Approved: June 7, 2016

	<u>Yea</u>	<u>Nay</u>
Carbone	_____	<u>✓</u>
Daymut	<u>✓</u>	_____
DeMio	_____	<u>✓</u>
Dooner	<u>✓</u>	_____
Schonhut	_____	<u>✓</u>
Short	<u>✓</u>	_____
Southworth	<u>✓</u>	_____

Attest: 
Assistant Clerk of Council

ORD. No. 2016-072 Amended: _____
1st Rdg. 04-04-16 Ref: PC/PZE
2nd Rdg. 04-08-16 Ref: PZE
3rd Rdg. 06/06/16 Ref: _____

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

Exhibit A

Parcel No. 1

Situated in the City of Strongsville, County of Cuyahoga and State of Ohio and known as being Sublot No. 22 in Strongsville Heights Subdivision of part of Original Strongsville Township Lot No. 56, as shown by the recorded plat in Volume 140 of Maps, Pages 22 and 23 of Cuyahoga County Records, as appears by said plat, be the same more or less, but subject to all legal highways.

p.p.# 393-19-016

Parcel No. 2

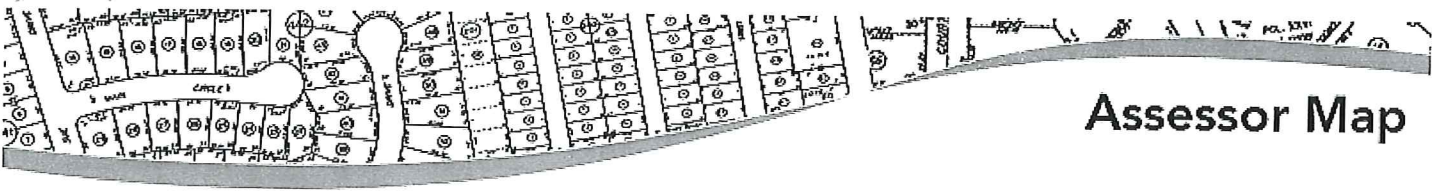
Situated in the City of Strongsville, County of Cuyahoga and State of Ohio and known as being Sublot No. 23 in Strongsville Heights Subdivision of part of Original Strongsville Township Lot No. 56, as shown by the recorded plat in Volume 140 of Maps, Pages 22 and 23 of Cuyahoga County Records, as appears by said plat, be the same more or less, but subject to all legal highways.

p.p.# 393-19-017

Property: 19132 Temple Drive, Strongsville, Ohio 44149

Owner: Rise Properties LLC

EXHIBIT A



Assessor Map

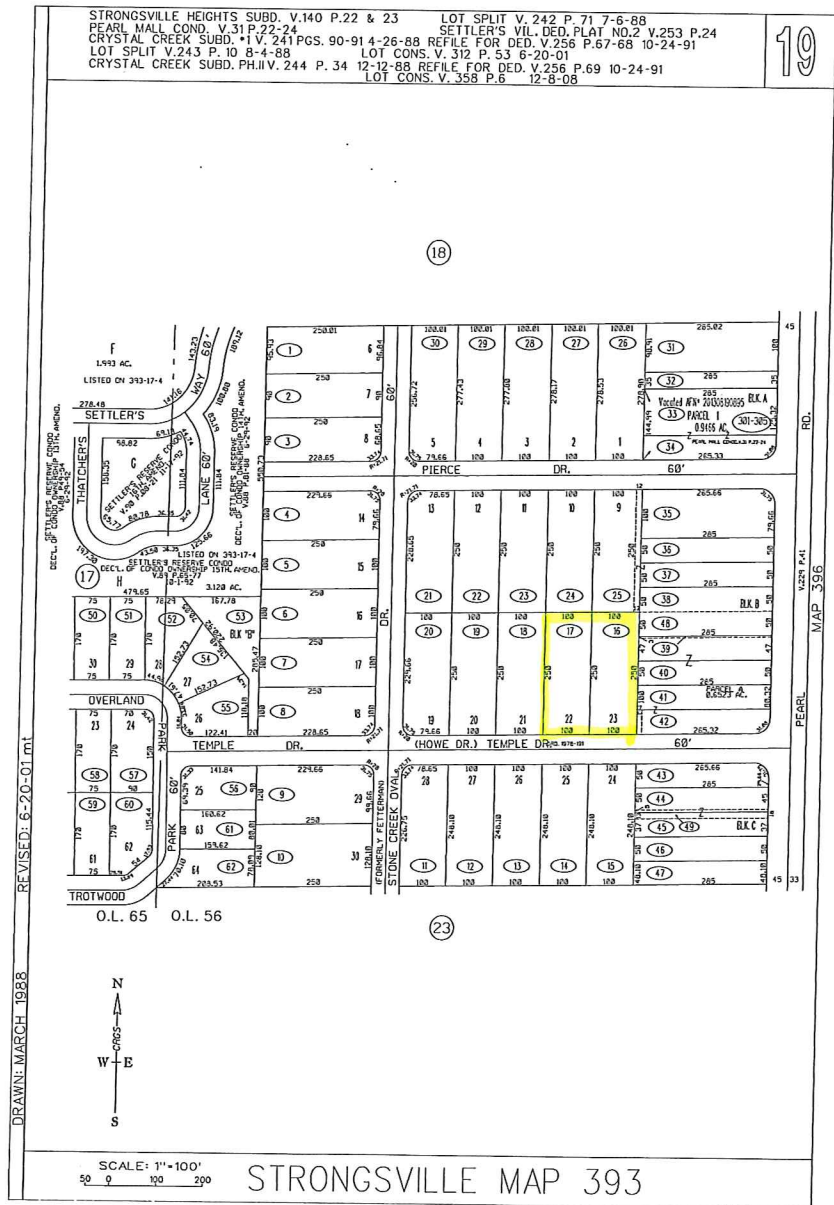


EXHIBIT B

PETITION FOR ZONING CHANGE

Ordinance Number: 2016-072

To the Council of the City of Strongsville, County of Cuyahoga, State of Ohio:

I/We, the undersigned owner(s) of the property set above our names on the Property Description Form attached to this document, hereby petition your Honorable Body that said property be changed from a class Public Facility PF use to a class Office Bulding use.

District 0

Such change is necessary for the preservation and enjoyment of a substantial property right because: We would like to operate our business at this location

Such change will not be materially detrimental to the public welfare nor to the property of other persons located in the vicinity because 1) small staff 2) will not disrupt the quiet enjoyment of the area 3) operate 9-5pm Mon-Fri 4) Customers do not visit location; no add'l traffic

Please list other supporting documents (if any) which accompany this petition:

1. N/A
2. _____
3. _____

THE PROPOSED USE OF THE PROPERTY IS: Office

Name, address and **telephone number** of applicant or applicant's agent:

Name: Amy Osterly - Bedner

Address: 1898 Scranton Rd, Cleveland, 44113

Telephone Number: 440.550.9060

[Signature]
Signature of Owner(s) Rise Properties, LLC

State of Ohio)
County of Cuyahoga)

Sworn to and subscribed in my presence this 22 day of MARCH, 2016.

[Signature]
Notary Public

Bruce H. Bynum
Notary Public, State of Ohio
Expires June 29, 2016



Particular attention to the details in item number 4 on page one. The certified list of property not be prepared by a title insurance company. Please provide a cover letter from the title insurance company verifying that said list was prepared by them.

PROPERTY DESCRIPTION FORM

Ordinance Number: 2016-072

The following described property is that property for which a change is being requested in the attached Petition for Zoning Change and which is hereby incorporated into and made part of said petition:

Address of Property: 19132 Temple Drive, Strongsville, Ohio 44149

Permanent Parcel No.: 393-19-016 + 393-19-017 (see attached memo)

The property is bounded by the following streets: (indicate direction; i.e., north, south, etc.) To the south: Temple Drive.

Number and type of buildings which now occupy property (if any): One

Acreage: 1.14 Acres

Said property (has) (had) the following deed restrictions affecting the use thereof (attach copy): No deed restrictions known. Current zoning is PF, Public Facility.

Said deed restrictions (will) (have) expire(d) on: N/A

Said property is presently under lease or otherwise encumbered as follows: N/A

Owner(s)	Percent of Ownership:
1. <u>Rise Properties, LLC</u>	<u>100</u> %
2. _____	_____ %
3. _____	_____ %

[Signature] president
Signature of Owner(s)

State of Ohio)
County of Cuyahoga)

Sworn to and subscribed to in my presence this 22 day of MARCH, 2016



Bruce H. Bynum
Notary Public, State of Ohio
Expires June 29, 2016

[Signature]
Notary Public

My commission expires June 29, 2016

* Please pay particular attention to the details in item number 4 on page one. The certified list of property owners must be prepared by a title insurance company. Please provide a cover letter from the title insurance company verifying that said list was prepared by them.

CITY OF STRONGSVILLE
OFFICE OF THE COUNCIL

MEMORANDUM

TO: Ken Mikula, City Engineer

FROM: Aimee Pientka, Clerk of Council

DATE: March 22, 2016

SUBJECT: Rezoning Application
Rise Properties, LLC; Owner
PPN: 393-19-016
Address: 19132 Temple Drive
From Public Facility to Office Building District Use

Please check the legal description on the attached application for rezoning and, if correct, please forward to the Law Director so he may prepare legislation for Council to consider.

Thank you.

AKP
Attachments

cc: Thomas P. Perciak, Mayor
Kenneth A. Kraus, Law Director
Daniel J. Kolick, Assistant Law Director
George Smerigan, City Planner
Brent Painter, Economic Development Director
All Members of Council
Carol Opera, Planning Commission Secretary

City of Strongsville

Memorandum

To: Neal Jamison, Law Director

CC: Mayor Perciak
Ken Mikula, City Engineer
✓ Aimee Pientka

From: Lori Daley, Assistant City Engineer

Date: March 24, 2016

Re: Rezoning Application
Rise Properties, LLC; Owner
PPN's 393-19-016 & 017
19132 Temple Drive
From PF to OB

Neal,

The legal descriptions included in the Clerk of Council's March 22, 2016 memo regarding the above referenced application accurately depict the areas to be rezoned.

Please note, Cuyahoga County still has the parcels listed under two different numbers. The rezoning includes both PPN's listed above.

Please feel free to contact me with any questions.

Thank you.

CITY OF STRONGSVILLE
OFFICE OF THE COUNCIL

MEMORANDUM

TO: Ken Mikula, City Engineer

FROM: Aimee Pientka, Clerk of Council

DATE: March 24, 2016

SUBJECT: Rezoning Application
Rise Properties, LLC; Owner
PPN: 393-19-016 and 393-19-017
Address: 19132 Temple Drive
From Public Facility to Office Building District Use

Per the memo from Lori Daley dated March 24, 2016, the above rezoning also includes PPN 393-19-017 which the original Property Description Form did not reflect. I have spoken to the owner, Marty DeMichele, who advised he wanted this parcel included in the rezoning. Attached is the updated Property Description form for this rezoning.

AKP
Attachments

cc: Thomas P. Perciak, Mayor
Neal Jamison, Law Director
Daniel J. Kolick, Assistant Law Director
George Smerigan, City Planner
Brent Painter, Economic Development Director
All Members of Council
Carol Opera, Planning Commission Secretary

Permanent 393-19-016
Parcel #:

CUYAHOGA COUNTY
OFFICE OF FISCAL OFFICER - 2
DEED 3/31/2015 3:17:38 PM

201503310424

Type Instrument: Warranty Deed
Tax District #: 3340

Date: 3/31/2015 2:31:00 PM
Tax List Year: 2015
Land Use Code: 4850
Land Value: 110,000
Building Value: 131,300
Total Value: 241,300
Arms Length Sale: UNKNW
Rcpt: d-03312015-14
Inst #: 691217
Check #: 4483

Grantee: RISE PROPERTIES LLC
Balance Assumed: \$ 0.00
Total Consideration: \$ 15,000.00
Conv. Fee Paid: \$ 60.00
Transfer Fee Paid: \$ 0.60
Fee Paid by: City Title Agency
Exempt Code:


Cuyahoga County Fiscal Officer

KNOW ALL MEN BY THESE PRESENTS

That The Strongsville Temple Company, Inc. (collectively or singularly referred to as "Grantors") for valuable consideration paid, grants, with covenants of General Warranty to Rise Properties LLC an Ohio Limited Liability Company whose tax mailing is: 6601 Smith Road, Brook Park, Ohio 44130 and property address is: 19132 Temple Drive, Strongsville, Ohio 44149

the following described realty:

Parcel No. 1
Situating in the City of Strongsville, County of Cuyahoga and State of Ohio and known as being Sublot No. 22 in Strongsville Heights Subdivision of part of Original Strongsville Township Lot No. 56, as shown by the recorded plat in Volume 140 of Maps, Pages 22 and 23 of Cuyahoga County Records, as appears by said plat, be the same more or less, but subject to all legal highways.

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PPN: 393-19-016

CITY TITLE COMPANY
100148

Prior Instrument Reference: Volume 7062 Page 475 & 477

And the said Grantors do for themselves and their successors and assigns covenant with said Grantees, as above granted, that at and until the ensembling of these presents it is well seized of the above described premises as a good and indefeasible estate in fee simple, and has good right to bargain and sell the same in manner and form as above written; that the same are free and clear from all encumbrances whatsoever except restrictions, conditions, reservations, limitations, and easements of record; restrictions and conditions contained in this Deed; if any, zoning ordinances; and taxes and assessments, both general and special, presently a lien but not yet due and payable; and that they will warrant and defend said premises, with the appurtenances thereunto belonging, to the said Grantees, as above granted, forever, against all lawful claims and demands whatsoever, except as hereinabove provided.

EXECUTED this 31st day of MARCH, 2015.

The Strongsville Temple Company, Inc.

[Signature]
By: William J. Craig, its President

[Signature]
By: Sandra Wojnowski, its Vice President

STATE OF OHIO

COUNTY OF Cuyahoga

)ss.

On this 30th day of MARCH, 2015, before me, a Notary Public, in and for said County, personally came The Strongsville Temple Company, Inc., By: William J. Craig, its President and By: Sandra Wojnowski, its Vice President the grantor(s) in the foregoing deed, and acknowledged the signing thereof to be their voluntary act and deed.

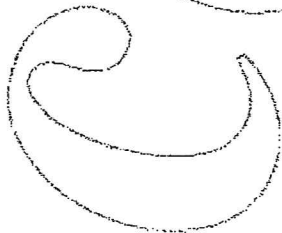
Witness my official signature and seal on the day last above mentioned.

[Signature]
Notary Public

This Instrument Prepared By:
WILLIAM E. NEGRELLI
Attorney at Law
5599 Pearl Road
Parma, Ohio 44129
440-88-6100



MICHAEL R. LEWANDOWSKI
Notary Public, State of Ohio
My Commission Expires
December 8, 2016



CITY OF STRONGSVILLE
OFFICE OF THE COUNCIL

MEMORANDUM

TO: Planning Commission
FROM: Tiffany Mekeel, Assistant Clerk of Council
DATE: April 5, 2016
SUBJECT: Referral from Council: Ordinance No. 2016-072

At its regular meeting of April 4, 2016, City Council referred the following Ordinance to the Planning Commission for its report and recommendation thereon:

- Ordinance No. 2016-072 by Mr. Daymut. 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 PROPERTY LOCATED AT 19132 TEMPLE DRIVE (PPNs 393-19-016 and 393-19-017) IN THE CITY OF STRONGSVILLE, FROM PF (PUBLIC FACILITIES) CLASSIFICATION TO OB (OFFICE BUILDING) CLASSIFICATION.

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

TAM
Attachment

MEMORANDUM

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

FROM: Carol Oprea, Administrative Assistant, Boards & Commissions

SUBJECT: Referrals to Council

DATE: April 15, 2016

Please be advised that at its meeting of April 14, 2016, the Strongsville Planning Commission gave Favorable Recommendation to the following;

ORDINANCE NO. 2016-072

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 property located at 19132 Temple Drive (PPN's 393-19-016 and 393-19-017) in the City of Strongsville from PF (Public Facilities) Classification to OB (Office Building) Classification.