

COUNCIL CHAMBER

City of Berea, Ohio

ORDINANCE No. 2017-38

By Nick Haschka Sponsored By Mayor Cyril M. Kleem

AN ORDINANCE

AMENDING THE ZONING MAP OF THE CITY OF BEREA BY REZONING A CERTAIN AREA OF LAND AT 487 BAGLEY ROAD, PERMANENT PARCEL NUMBER 363-02-001, FROM RESIDENTIAL SINGLE FAMILY B (R-SF-B) DISTRICT TO COMMERCIAL CENTER (CC) DISTRICT.

WHEREAS, Eligius Ltd., owner of the property in question, has granted permission to Caitlin and Randy Rees to petition the City of Berea to rezone the parcel of land addressed as 487 Bagley Road and identified as Permanent Parcel Number 363-02-001, from Residential Single Family B (R-SF-B) District to Commercial Center (CC) District, in the City of Berea, as more fully shown on the map attached hereto and identified as Exhibit "A" and incorporated herein by reference; and

WHEREAS, pursuant to Chapter 105 of the Zoning Code of the Codified Ordinances of the City of Berea, this Council has referred said request to the Municipal Planning Commission for review and consideration, and the Planning Commission has recommended approval and acceptance of the rezoning petition; and

WHEREAS, the Clerk of Council has notified the Zoning Administrator of the application for rezoning and the Zoning Administrator has inspected the property and made a written report to the Planning Commission; and

WHEREAS, the report of the Zoning Administrator and this Ordinance have been referred to a Planning Advisor who has reviewed the application and has evaluated the same and reported that the rezoning is consistent with the general purposes and overall objectives of the Zoning Code and has provided such report to the Planning Commission; and

WHEREAS, the Planning Commission has provided prior written notice by mail at least ten (10) days prior to the meeting of the Planning Commission to consider the rezoning application to all owners of property within two hundred feet of the affected property; and

WHEREAS, the Clerk of Council has published notice of a public hearing on the application for rezoning in a newspaper of general circulation at least thirty (30) days prior to the holding of said public hearing, and notice of the rezoning petition has been provided to owners of property within the affected area, contiguous to the affected area, and across the street from the affected area, and that the public hearing has been held and consideration of the public hearing has been made by this Council.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Berea, State of Ohio:

SECTION 1. That this Council has considered and accepts the recommendation of the Municipal Planning Commission, the Zoning Administrator, and the Planning Advisor, and has further duly considered all matters arising at the public hearing on the petition for rezoning, and hereby rezones the land addressed as 487 Bagley Road, and identified as Permanent Parcel Number 363-02-001, as more fully shown on Exhibit "A", attached hereto and incorporated herein, from Residential Single Family B (R-SF-B) District to Commercial Center (CC) District.

SECTION 2. That the Zoning Administrator is hereby directed to revise the official zoning map of the City to reflect the rezoning of the affected area as indicated herein and approved hereby.

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 of any of its committees that resulted in such formal actions were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

COUNCIL CHAMBER

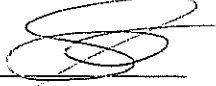
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SECTION 4. That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

PASSED: July 17, 2017



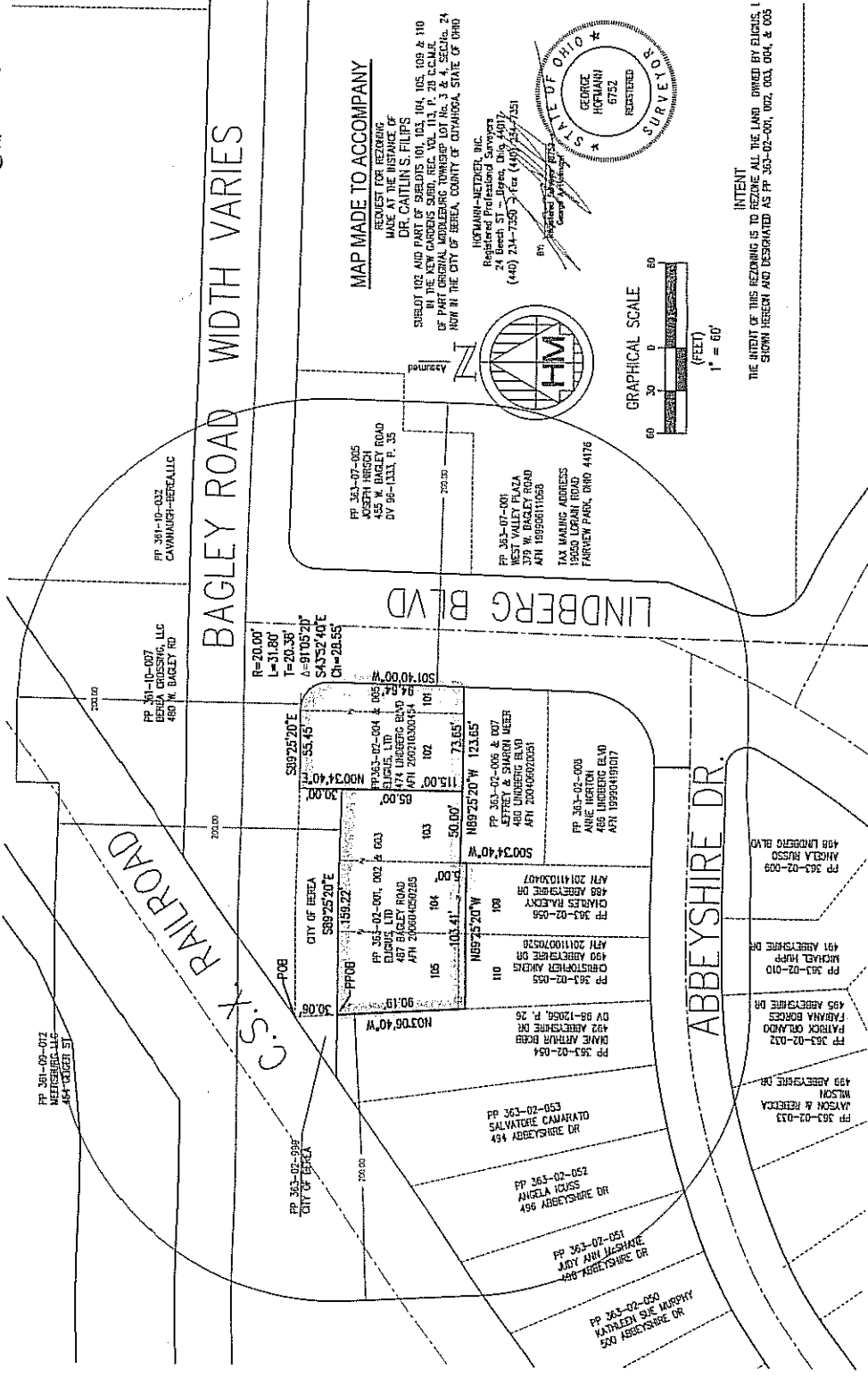
President of Council

ATTEST: Alyssa Rose
Clerk of Council

APPROVED: July 19, 2017
Apifkleem
Mayor

APPROVED AS TO FORM:
[Signature]
Director of Law

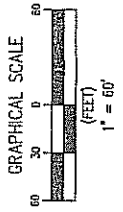
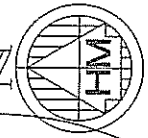
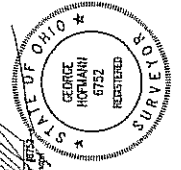
Exhibit "A"



MAP MADE TO ACCOMPANY

REQUEST FOR REZONING
 MADE AT THE INSTANCE OF
 DR. CAITLIN S. FILIPS
 SHEET 102 AND PART OF SHEETS 101, 103, 104, 105, 109 & 110
 OF THE NEW CADDIS SUBD. REC. VOL. 113, P. 20 C.C.M.A.R.
 OF PART ORIGINAL WILKESBURG TOWNSHIP LOT No. 3 & 4, SECT. No. 24
 NOW IN THE CITY OF BERA, COUNTY OF CUYAHOGA, STATE OF OHIO

HOFMANN-BEDDER, INC.
 Registered Professional Surveyors
 24 Birch St. - Dayton, Ohio 45407
 (440) 234-7350 Fax (440) 234-7351



INTENT
 THE INTENT OF THIS REZONING IS TO REZONE ALL THE LAND OWNED BY ELIQUIS, L
 SHOWN HEREIN AND DESIGNATED AS PP 363-02-001, 002, 003, 004, & 005