

PUBLIC HEARING MEETING MINUTES

November 21, 2016

Mr. Boldt called the Public Hearing to order at 7:10 p.m.

Mr. Boldt read that a Public Hearing will be held at 7:10 p.m. on Monday, November 21, 2016 in the Council Chambers of the Broadview Heights Community Building located at 9543 Broadview Road, Broadview Heights, Ohio on the following Ordinance: He then asked the clerk to read.

Mrs. Dunlap read ORDINANCE 46-16: AN ORDINANCE REZONING PERMANENT PARCEL NOS. 583-13-016, 583-13-011 AND 583-13-017 LOCATED ON THE NORTHWEST CORNER OF ROUTE 82 AND AVERY ROAD IN THE CITY OF BROADVIEW HEIGHTS AND DECLARING AN EMERGENCY.

Mr. Boldt stated that before he calls the opponents up to this legislation, just so everybody knows the form that we are under. At this point when he calls up opponents, you have three minutes to tell Council why you are against it and state it at that time. This is not question and answer. This is where Council sits back and listens to your opinion on this ordinance. So at this time if there are any opponents please come up to the podium, state your name and your address and we will listen to your comments.

Mr. Boldt called for opponents.

Mr. Boldt called or opponents the last time.

Mr. Boldt called for proponents.


Mr. Boldt asked for any other proponents.

Mr. Boldt asked for any other proponents.

Mr. Boldt stated that seeing no others, this Hearing is closed.

The time was 6:30 p.m.


CLERK OF COUNCIL, HELEN DUNLAP


COUNCIL PRESIDENT, ROBERT BOLDT

PUBLIC NOTICE

PUBLIC HEARING

Public Hearing will be held at 7:10 p.m. on Monday, November 21, 2016 in the Council Chambers of the Broadview Heights Community Building located at 9543 Broadview Road, Broadview Heights, Ohio on the following Ordinance.

ORDINANCE 46-16

AN ORDINANCE REZONING PERMANENT PARCEL NOS. 583-13-016, 583-13-011 AND 583-13-017 LOCATED ON THE NORTHWEST CORNER OF ROUTE 82 AND AVERY ROAD IN THE CITY OF BROADVIEW HEIGHTS AND DECLARING AN EMERGENCY.

BY ORDER OF THE COUNCIL OF THE CITY OF BROADVIEW HEIGHTS.

Helen Dunlap
Clerk of Council
City of Broadview Heights

Sun Newspaper:
Publish Date: November 17, 2016

CITY OF BROADVIEW HEIGHTS, OHIO

ORDINANCE NO. 46-16

INTRODUCED BY MAYOR AND ENTIRE COUNCIL

AN ORDINANCE REZONING PERMANENT PARCEL
NOS. 583-13-016, 583-13-011 AND 583-13-017
LOCATED ON THE NORTHWEST CORNER OF ROUTE 82 AND AVERY ROAD
IN THE CITY OF BROADVIEW HEIGHTS
AND DECLARING AN EMERGENCY.

WHEREAS, a request has been made for rezoning of Permanent Parcel Nos. 583-13-016, 583-13-011 and 583-13-017 located on the Northwest corner of Route 82 and Avery Road, from the present C-6 (Corridor Conversion District) to Special Planning District Zone B as delineated in the rezoning application attached hereto as Exhibit "A"; and

WHEREAS, such request has been forwarded to the Planning Commission of the City of Broadview Heights for its study and recommendation and the Planning Commission has recommended approval to Council; and

WHEREAS, a public hearing has been held and all other necessary procedural steps have been taken to accomplish this rezoning.

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

SECTION 1. That the real estate located on the Northwest corner of Route 82 and Avery Road, known as Permanent Parcel Nos. 583-13-016, 583-13-011 and 583-13-017, which is more particularly described in the rezoning application attached hereto and incorporated herein as Exhibit "A" shall be rezoned as Special Planning District Zone B subject to a vote of the people; and that Section 1264.02 of the Codified Ordinances and Zone Map of the City of Broadview Heights made a part thereof, be amended accordingly.

SECTION 2. That the Clerk be and she is hereby authorized and directed to certify a copy of this ordinance to the Cuyahoga County Board of Elections no later than sixty (60) days before the election to be placed on the ballot for the next municipal election in accordance with Article IX, Section 3 of the Charter of the City of Broadview Heights.

SECTION 3. That this Ordinance shall take effect and be in force from and after the earliest period allowed by law after the same has been approved by a majority of the voters, and in the event that same is approved, the Clerk is hereby authorized and directed to have the official Zone Map of the City of Broadview Heights conformed to the provisions of this enactment.

SECTION 4. The ballot to be used in the election on the question of the rezoning shall be substantially as follows:

**PROPOSED REZONING
CITY OF BROADVIEW HEIGHTS**

A majority affirmative vote is necessary for passage.

Shall Permanent Parcel Nos. 583-13-016, 583-13-011 and 583-13-017 located on the Northwest corner of Route 82 and Avery Road be rezoned from present C-6 (Corridor Conversion District) to Special Planning District Zone B.

_____ FOR THE REZONING

_____ AGAINST THE REZONING

SECTION 5. This Council finds and determines that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and of its committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

SECTION 6. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, peace, safety and welfare and for the further reason stated in the Preamble hereof, and provided it receives the affirmative vote of five (5) or more of the members of the Council and the signature of the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

PASSED: _____

_____ PRESIDENT OF COUNCIL

DATE FILED
WITH MAYOR: _____

APPROVED: _____
SAMUEL J. ALAI, MAYOR

ATTEST: _____
CLERK OF COUNCIL

DATE APPROVED: _____

CITY OF BROADVIEW HEIGHTS
9543 BROADVIEW ROAD, BLDG 7, BROADVIEW HEIGHTS, OHIO 44147
REZONING APPLICATION

DATE: JUNE 14, 2016

OWNER(S): IDA HANDY
ADDRESS: 8446 CAMDEN CT
CITY & STATE: BROADVIEW HEIGHT, OHIO 44147

OWNER'S REPRESENTATIVE: SAM PETROS
ADDRESS: 10474 BROADVIEW RD
CITY & STATE: BROADVIEW HEIGHTS, OHIO 44147

PERMANENT PARCEL #: 583-13-016, 583-13-011, 583-13-017, 583-13-010
ADDRESS OF PROPERTY: 1345 ROYALTON RD
added per parcel owner's request

SIZE: 700± x 740± TOTAL SQUARE FEET: 518,000±
12± AC

GENERAL DESCRIPTION:

25% WOODED LAKE 80% FLAT 20% STEEP ROLLING

EXISTING BUILDINGS:

DESCRIPTION: BARN

REMAIN TO BE REMOVED

REQUEST ZONE CHANGE FROM: C-6 TO: SPECIAL PLANNING ZONE B
AS STATED IN ATTACHED LEGAL DESCRIPTION
INTENDED USE: OFFICE ON ROYALTON RD
SINGLGE FAMILY RESIDENTIAL IN REAR.

**Preliminary Boundary
Legal Description
Avery Road, Broadview Heights
October 18, 2016**

Situated in the City of Broadview Heights, County of Cuyahoga and State of Ohio and known as being part of Original Brecksville Township Lot No. 28, and further bounded and described as follows:

Beginning in the center line of Avery Road, (60 feet wide) said place of beginning being also distant North $05^{\circ}01'40''$ East, 222.65 feet, measured along said center line from its intersection with the centerline of Royalton Road (Width Varies);

Thence North $89^{\circ}42'00''$ West, a distance of 759.13 feet to a point;

Thence North $00^{\circ}37'00''$ East, a distance of 568.03 feet to a point;

Thence South $89^{\circ}42'00''$ East, a distance of 704.86 feet to a point in the centerline of Avery Road;

Thence South $09^{\circ}43'20''$ East along the centerline of Avery Road, a distance of 384.02 feet to an iron monument at an angle point;

Thence South $05^{\circ}01'40''$ East along the centerline of Avery Road, a distance of 190.51 feet to the place of beginning, 9.7589 acres of land, be the same more or less, but subject to all legal highways.

Parcel Numbers: 583-13-010, -016 and northerly part of Parcel Numbers: 583-13-011, -017