

COUNCIL CHAMBER

City of Berea, Ohio

Ordinance No. 2018-56

By Jim Maxwell Sponsored By Margaret S. Key
Mary K. Brown

AN ORDINANCE

AMENDING THE ZONING MAP OF THE CITY OF BEREA BY REZONING A CERTAIN AREA OF LAND AT 231 NORTH ROCKY RIVER DRIVE, PERMANENT PARCEL NUMBERS 364-02-019 AND 364-02-020, FROM RESIDENTIAL-SINGLE FAMILY-B (R-SF-B) DISTRICT TO COMMERCIAL CENTER (CC) DISTRICT.

WHEREAS, the City of Berea has been appropriately petitioned by Joseph Coury to rezone those parcels of land located at 231 North Rocky River Drive and identified as permanent parcel numbers 364-02-019 and 364-02-020, which are currently zoned Residential-Single Family-B (R-SF-B) District, and requests that the parcels be zoned as 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 zoning 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 that the public hearing has been held and consideration of the public hearing has been made by this Council; and

WHEREAS, the Clerk of Council has provided written notice of a public hearing on the application for rezoning, by first class mail, at least twenty (20) days before the date of the public hearing, to the owners of properties within and contiguous to and directly across the street from the parcels in question.

NOW, THEREFORE, BE IT RESOLVED 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 that certain area of land at 231 North Rocky River Drive, Permanent Parcel Numbers 364-02-019 and 364-02-020, identified on Exhibit "A" attached hereto and incorporated herein, from Residential-Single Family-B (R-SF-B) Zoning District to Commercial Center (CC) Zoning 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.

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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.

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

PASSED: November 19, 2018

ATTEST: [Signature]
Clerk of Council

[Signature]
President of Council

APPROVED: November 20, 2018
[Signature]
Mayor

APPROVED AS TO FORM:
[Signature]
Director of Law

Ex. "A"

Situated in the City of Berea, County of Cuyahoga and State of Ohio:

And being the same premises conveyed to the said Grantor by deed recorded in Volume 11679, Page 371 of the Records of the said County, more fully described as follows: known as being part of Original Middleburg Township Section No. 17, and bounded and described as follows:

Beginning in the centerline of Rocky River Drive at the Southeasterly corner of a parcel of land conveyed to The Standard Oil Company by deed recorded in Volume 11679, Page 371 of Cuyahoga County records; thence North 32 degrees 39 minutes 00 seconds West along the centerline of Rocky River Drive, 5.97 feet to an iron monument at an angle point therein; thence North 29 degrees 00 minutes 00 seconds West along the centerline of Rocky River Drive, 47.74 feet to a point; thence South 70 degrees 17 minutes 17 seconds West, 179.45 feet to the centerline of the East Branch of Rocky River; thence South 29 degrees 31 minutes 26 seconds East along the centerline of the East Branch of Rocky River, 50.00 feet to the Southwesterly corner of said land conveyed to The Standard Oil Company; thence North 71 degrees 27 minutes 18 seconds East along the Southerly line of said land, 180.00 feet to the place of beginning, according to the Survey of Warren J. Root and Associates, Civil Engineers and Surveyors, be the same more or less.

PROPERTY ADDRESS:	231 RIVERSIDE ROAD, BEREА, OHIO AKA 231 N. ROCKY RIVER, BEREА, OHIO
PARCEL NO.:	364-02-020 ; 019
PRIOR INSTRUMENT NO:	Volume 87-0115, Page 54, Cuyahoga County Records

