

A RESOLUTION GRANTING SITE PLAN APPROVAL TO DICK HALL, PROPERTY OWNER, TO PERMIT THE CONSTRUCTION OF A 3,750 SQUARE FOOT WAREHOUSE BUILDING ON A VACANT PARCEL LOCATED AT 1639 COMMERCE DRIVE, IN THE CITY OF STOW AND DECLARING AN EMERGENCY.

WHEREAS, on March 8, 2016, the Planning Commission did recommend to this Council the granting of site plan approval as hereinafter set forth;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF STOW, COUNTY OF SUMMIT AND STATE OF OHIO:

SECTION 1. That Dick Hall, property owner, is hereby granted site plan approval to permit the construction of a 3,750 square foot warehouse building on a vacant parcel located at 1639 Commerce Drive. The property is zoned I-2 and warehouse buildings are permitted by right subject to site plan approval.

The proposed building will be located 150 feet from the Commerce Drive right-of-way and 200 feet from the rear property line. The exterior of the proposed structure will be metal. The building will be accessed from a single curb cut off of Commerce Drive and the parking area will be located west of the structure.

This proposal shall be in accordance with the provisions contained under Sections 1147.01 through 1147.09, C.O.S., and shall be contingent upon the applicant complying with the following terms and conditions:

1. The applicant shall either execute the Assent and Acceptance By Applicant attached hereto or, in lieu thereof, and pursuant to 965.01, C.O.S., the applicant shall post a cash or surety bond in the amount of \$900.00 to the City of Stow to guarantee the applicant's faithful performance of all conditions and stipulations contained herein. Said bond shall be in a form approved by the Law Director.
2. To the Building and Engineering Departments' approval of construction plans.
3. To the access drive being designed to support a 75,000 lb. vehicle.
4. To compliance with the Site Plan and building elevations as approved by the Planning Commission on March 8, 2016, which are incorporated herein by reference and made a part hereof as if fully reappearing herein.
5. This approval is non-assignable and may not be transferred without the consent of Council.
6. This approval shall expire within one (1) year of the date of this enactment unless prior thereto a building permit has been issued and actual construction undertaken.
7. The authorization granted by this legislation shall become null and void if it is not signed or if the bond is not posted within 30 days from the effective date of this legislation.


SECTION 2. This Council finds and determines that all formal actions of this Council concerning and relating to the passage of this Resolution were taken in an open meeting of this

Council and that all deliberations of this Council and committees and subcommittees that resulted in those formal actions were in meetings open to the public in compliance with the law.

SECTION 3. That this Resolution was adopted pursuant to Section 4.11, Charter, and is hereby declared to be an emergency measure necessary for the immediate preservation of the public health and safety for the reason that the applicant wishes to start construction by the first of April, and, pursuant to Section 4.13, Charter, shall take effect upon its adoption by Council and approval by the Mayor, otherwise at the earliest period allowed by law.

ADOPTED BY COUNCIL 3/10/16

ATTEST


Bonnie J. Emahiser
CLERK OF COUNCIL


Mike Rasor
PRESIDENT OF COUNCIL

FILED WITH MAYOR 3/11/16

APPROVED

FILED WITH CLERK 3/11/16


Sara Drew
MAYOR

APPROVED AS TO FORM

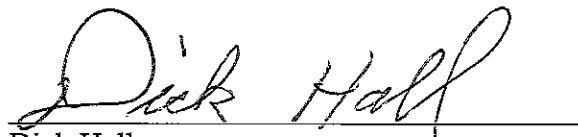

Amber K. Zibritosky
LAW DIRECTOR

EFFECTIVE DATE 3/11/16

ASSENT AND ACCEPTANCE BY APPLICANT

I, Dick Hall, property owner, have read the foregoing enactment by Stow City Council and do hereby assent and accept all terms and conditions contained herein as being the basis upon which approval was granted and upon which the authorized activity is expressly conditioned.

3-11-16
Date


Dick Hall

I, Bonnie J. Emahiser, Clerk of Council, do hereby certify that copies of the forgoing were posted in accordance with Section 10.13 C.O.S.

