

REQUESTED BY APPLICANT  
APPROVED BY PLANNING COMMITTEE  
INTRODUCED BY PRIBONIC

RESOLUTION NO. 2016-43

A RESOLUTION GRANTING CONDITIONAL ZONING CERTIFICATE AND VARIANCE APPROVAL TO GREG BLAZOSKY, APPLICANT AND PROPERTY OWNER, TO PERMIT THE CONSTRUCTION OF A 1,600 SQUARE FOOT ACCESSORY BUILDING AT 1636 ARNDALE ROAD, IN THE CITY OF STOW, AND DECLARING AN EMERGENCY.

WHEREAS, on April 12, 2016, the Planning Commission did prudently consider and did recommend to this Council the granting of Conditional Zoning Certificate and variance 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 Greg Blazosky, applicant and property owner, is hereby granted Conditional Zoning Certificate and variance approval to permit the construction of a 1,600 square foot accessory building at 1636 Arndale Road. Accessory buildings on large lots (greater than one acre in size) are conditionally permitted in any residential district. The applicant's property is two acres in size and is zoned R-2 Residential. C.O.S. Section 1163.04(k)(1) permits an accessory building of up to 1,742 square feet in area on this property.

There is an existing accessory building on the property, approximately 24 ft. by 32 ft. in area, which will be demolished as part of this project.

The proposed 40 ft. by 40 ft. accessory building will be located behind the house 150 feet from the front property line and 28 feet from the east property line. The exterior of the structure will be finished with metal siding. The applicant is requesting a variance from C.O.S. Section 1163.04(k)(4) to locate the accessory building 28 feet from the side (east) property line (minimum 50 feet required).

This proposal shall be in accordance with the provisions contained under Sections 1143.01 through 1143.13, and Sections 1163.01 through 1163.04, C.O.S.

(A) Said variance granted hereunder include:

1. This approval grants a variance from C.O.S. Section 1163.04(k)(4) to reduce the required 50 foot east side yard setback to 28 feet.

(B) Further, such proposal shall be contingent upon the applicant complying with the following terms and conditions:

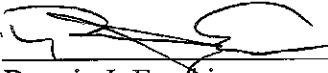
1. The applicant shall either execute the Assent and Acceptance by Applicant attached hereto or, in lieu thereof, and pursuant to Section 965.01, C.O.S., the applicant shall post a cash or surety bond in the amount of \$300.00 to the City of Stow to guarantee the applicant's faithful performance of all conditions and stipulations contained herein. Said bond shall be in a form approved by the Law Director.
2. To the Building Department's approval of construction plans.

3. To the existing garage being demolished within sixty (6) days of the new accessory building's completion.
4. This approval is non-assignable and may not be transferred without the consent of Council.
5. 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 on the construction of the accessory building and single family home.
6. 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 of any committees or 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 applicant wishes to begin construction as soon as possible, 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 4/14/16

ATTEST   
 Bonnie J. Emahiser  
 CLERK OF COUNCIL

  
 Mike Rasor  
 VICE PRESIDENT OF COUNCIL

FILED WITH MAYOR 4/18/16

APPROVED   
 Sara Kline  
 MAYOR

FILED WITH CLERK 4/18/16

APPROVED AS TO FORM

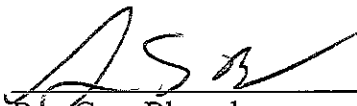
EFFECTIVE DATE 4/18/16

  
 Amber K. Zibritosky  
 LAW DIRECTOR

ASSENT AND ACCEPTANCE BY APPLICANT

I, Greg Blazosky, applicant and 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.

April 14 2016  
 Date

  
 By: Greg Blazosky

