

A RESOLUTION GRANTING CONDITIONAL ZONING CERTIFICATE APPROVAL TO DANIEL WARNER, VICE PRESIDENT OF OPERATIONS AT HATTIE LARLHAM, APPLICANT AND PROPERTY OWNER, TO PERMIT THE CONSTRUCTION OF AN EIGHT-BED RESIDENCE FOR INDIVIDUALS WITH DISABILITIES AT 4479 HUDSON DRIVE, IN THE CITY OF STOW, AND DECLARING AN EMERGENCY.

WHEREAS, on May 24, 2016, the Planning Commission did recommend to this Council the approval of the said Conditional Zoning Certificate as hereinafter set forth;

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

SECTION 1. That Daniel Warner, Vice President of Operations at Hattie Larlham, applicant and property owner, is hereby granted Conditional Zoning Certificate approval to permit the construction of an eight-bed residence for individuals with disabilities at 4479 Hudson Drive. The property is zoned R-2 Residential and family homes for persons with disabilities are conditionally permitted in this district.

The 1.4-acre property is located on the east side of Hudson Drive approximately 200 feet north of the Ellsworth Road intersection. To the north of the subject property is an apartment complex zoned R-2. To the south is a single family home zoned R-2 Residential and across Hudson Drive to the west is property zoned I-2 Industrial.

The proposed structure will be located approximately 138 feet from the Hudson Drive right-of-way, 40 feet from the south property line and 20 feet from the north property line. It will contain 6-8 beds, a kitchen, a dining room, two activity rooms and an office.

The exterior of the facility will be a combination of brick and wood/vinyl siding with an asphalt shingle roof. The structure will be accessed from a loop drive with two curb cuts and ten parking spaces are proposed. Landscaping is proposed to screen the proposed parking spaces. Four trees in the front of the yard are proposed to be preserved.

Said approval shall be contingent upon the applicant complying with the following terms and conditions:

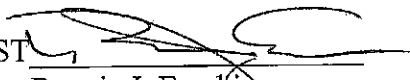
1. The applicant shall either execute the Assent and Acceptance By Applicant attached hereto or, in lieu thereof, and pursuant to 965.01, C.O.S., the applicant shall post a cash or surety bond in the amount of \$1,300 to the City of Stow to guarantee the applicant's faithful performance of all conditions and stipulations contained herein. Said bond shall be in a form approved by the Law Director.
2. To the Engineering and Building Departments' approval of construction plans.
3. To the City Arborist's approval of landscape plans.
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.
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 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 immediately preservation of the public health and safety for the reason that the applicant wishes to start 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 6/9/16

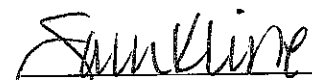
ATTEST 
 Bonnie J. Emahiser
 CLERK OF COUNCIL


 Mike Rasor
 PRESIDENT OF COUNCIL

FILED WITH MAYOR 6/13/16

FILED WITH CLERK 6/13/16

APPROVED


 Sara Drew
 MAYOR

APPROVED AS TO FORM

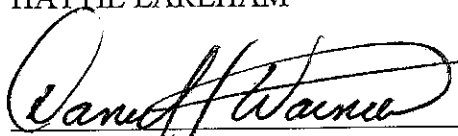

 Amber K. Zibritosky
 LAW DIRECTOR

EFFECTIVE DATE 6/13/16

ASSENT AND ACCEPTANCE BY APPLICANT

I, Daniel Warner, Vice President of Operations at Hattie Larlham, 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.

6-9-16
 Date

HATTIE LARLHAM

 By: Daniel Warner
 Vice President of Operations