

A RESOLUTION GRANTING CONDITIONAL ZONING CERTIFICATE APPROVAL TO JONATHAN GANLEY AND JODI KEASLER, PROPERTY OWNERS, TO PERMIT THE CONSTRUCTION OF A 2,400 SQUARE FOOT ACCESSORY BUILDING (BARN) AT 5077 YOUNG ROAD, IN THE CITY OF STOW, AND DECLARING AN EMERGENCY.

WHEREAS, on April 11, 2017, the Planning Commission did prudently consider and did recommend to this Council the granting of Conditional Zoning Certificate 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 Jonathan Ganley and Jodi Keasler, property owners, are hereby granted Conditional Zoning Certificate approval to permit the construction of a 2,400 square foot accessory building (barn) at 5077 Young Road. The property is comprised of a total of approximately 14.3 acres including a 1.6-acre lot where their home is located and a 12.7-acre parcel surrounding the house lot.

For lots greater than one acre, accessory buildings over 1,500 square feet in area require a conditional zoning certificate according to C.O.S. Section 1163.04(k). The propped accessory building (barn) is proposed to be located behind the house and 50 feet from the side (north) property line.

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.

That 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 \$500 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. This approval is non-assignable and may not be transferred without the consent of Council.
4. 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.

5. 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 said barn is required for the storage of farming equipment necessary to continue in the CAUV Farming Program, which assures continued green space on their property, 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 4/27/17

ATTEST   
Bonnie J. Emahiser  
CLERK OF COUNCIL

  
Mike Rasor  
PRESIDENT OF COUNCIL

FILED WITH MAYOR 4/28/17

APPROVED   
Sara Kline  
MAYOR

FILED WITH CLERK 5/1/17

APPROVED AS TO FORM


EFFECTIVE DATE 5/1/17

  
Amber K. Zibritosky  
LAW DIRECTOR

ASSENT AND ACCEPTANCE BY APPLICANT

We, Jonathan Ganley and Jodi Keasler, property owners, 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.

5/2/17  
Date

  
Jonathan Ganley

5/2/17  
Date

  
Jodi Keasler