

A RESOLUTION GRANTING A SIGNAGE VARIANCE TO BRAD GILLESPIE OF BDG PROPERTIES, PROPERTY AND BUSINESS OWNER, TO PERMIT THE CONSTRUCTION OF A MONUMENT SIGN AT 3809 DARROW ROAD, IN THE CITY OF STOW, AND DECLARING AN EMERGENCY.

WHEREAS, on December 5, 2017, the Planning Commission did recommend to this Council the granting of a sign variance 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 Brad Gillespie of BDG Properties, property and business owner, is hereby granted variance approval to permit the construction of a monument sign located at 3809 Darrow Road. The property is zoned C-6 Office.

The applicant is proposing to construct a monument sign which will be 4.5 feet in height and 16.5 square feet in area and located 4.5 feet from the Darrow Road right-of-way. The proposed sign will be constructed in aluminum. In the vicinity of this property there are other identification signs that are located less than 10 feet from the Darrow Road right-of-way.

(A) Said variance granted hereunder includes:

1. This approval grants a variance from C.O.S. Section 1183.05(b)(3) to permit a monument sign to be located 4.5 feet from the Darrow Road right-of-way (10 feet minimum is required).

(B) Further such 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 Section 965.01, C.O.S., 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. All construction shall be made in compliance with the applicant's site plan submitted to the Planning Commission on December 5, 2017 which is incorporated herein by this reference and made a part hereof as if fully reappearing herein.
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.
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.

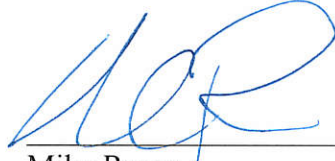
SECTION 2. This Council finds and determines that all formal actions of this Council concerning and relating to the passage of this Resolution were taken in an open meeting of this Council and that all deliberations of this Council and of any of its committees or subcommittees that resulted in those 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 the applicant wishes to open his business 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 12/14/17

ATTEST



Bonnie J. Emahiser
CLERK OF COUNCIL



Mike Rasor
PRESIDENT OF COUNCIL

FILED WITH MAYOR 12/18/17

APPROVED


Sara Kline
MAYOR

FILED WITH CLERK 12/18/17

APPROVED AS TO FORM

EFFECTIVE DATE 12/18/17

Amber K. Zibritosky
LAW DIRECTOR

ASSENT & ACCEPTANCE BY APPLICANT

I, Brad Gillespie of BDG Properties, property and business 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.

BDG PROPERTIES

Date

By: Brad Gillespie