

AN ORDINANCE ENACTED PURSUANT TO SECTION 1137.08, ENTITLED "AMENDMENTS", TO PROVIDE FOR THE AMENDMENT OF THE ZONING DISTRICTS MAP AND ZONING DISTRICTS BY RECLASSIFYING FROM R-3 RESIDENTIAL TO C-3 COMMUNITY RETAIL APPROXIMATELY 1.4 ACRES OF PROPERTY LOCATED ADJACENT TO THE EXISTING CIRCLE K GAS STATION LOCATED AT 4936 FISHCREEK ROAD; AUTHORIZING AMENDMENT TO THE ZONING DISTRICTS MAP BY THE CITY ENGINEER.

WHEREAS, on July 31, 2018 the Planning Commission did prudently consider and did recommend to this Council the reclassification of land use designation of certain parcels as hereinafter set forth; and

WHEREAS, City Council has set and conducted a Public Hearing hereupon according to law on the 27th day of September, 2018 at 5:30 o'clock p.m.; and

WHEREAS, written notice of the Public Hearing was mailed in accordance with Ohio Revised Code Section 713.12.

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


SECTION 1. That after Public Hearing duly held according to law, pursuant to Section 1137.08, entitled "Amendments", the Zoning Districts Map and Zoning Districts set forth therein be, and the same are, hereby amended to reclassify certain real premises from their present R-3 Residential District to C-3 Community Retail District, said premises being more fully described as attached hereto.

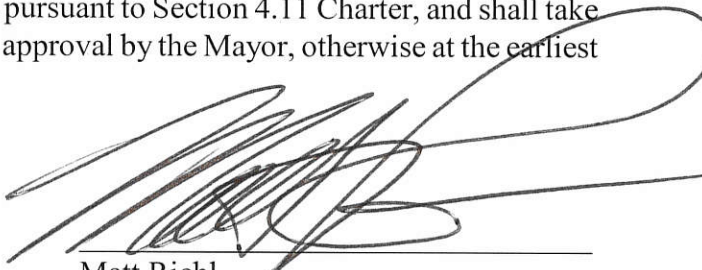
SECTION 2. That the City Engineer is hereby authorized and directed to cause the necessary changes of land use classification to be made upon the Zoning Districts Map of the City of Stow with reference to the effect of this Ordinance authorizing such reclassification.

SECTION 3. This Council finds and determines that all formal actions of this Council concerning and relating to the passage of this ordinance 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.

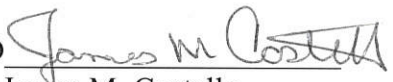
SECTION 4. That this Ordinance was adopted pursuant to Section 4.11 Charter, and shall take effect thirty (30) days after its adoption by Council and approval by the Mayor, otherwise at the earliest period allowed by law.

ADOPTED BY COUNCIL 9/27/18

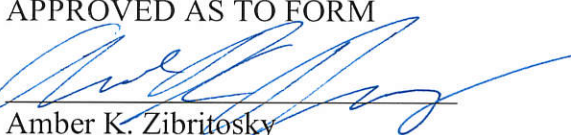
ATTEST 
Bonnie J. Emahiser
CLERK OF COUNCIL


Matt Riehl
PRESIDENT OF COUNCIL

FILED WITH MAYOR 10/1/18

APPROVED 
James M. Costello
MAYOR

FILED WITH CLERK 10/1/18

APPROVED AS TO FORM

Amber K. Zibritosky
LAW DIRECTOR

EFFECTIVE DATE 10/31/18



Description of Area to be Rezoned

1.4195 ACRES

Situated in the city of Stow, County of Summit and State of Ohio, being a part of Lot 67 formerly Stow Township, being part of a 3.2522 deed acre parcel of land owned by SF Partnership as recorded 10-02-1996 in Official Record Number 2272, Page 206 of Summit County Recorder's Records, and Part of a 1.189 deed acre parcel of land owned by Ruth A. Bourgeois Co-Trustee as recorded 1-24-2007 in Document Number 54408510 of Summit County Recorder's Records and being more fully described as follows:

Beginning a point at the intersection of the centerline of Stow Road, County Highway 106 (Variable Width) with the centerline of Fishcreek Road, State Route 632 (Variable Width);

thence South $36^{\circ}08'00''$ West 213.97 feet along the centerline of Stow Road to the northerly most corner of said 1.189 deed acre parcel;

thence South $35^{\circ}56'00''$ East 31.53 feet along the northeasterly line of said 1.189 deed acre parcel to the TRUE POINT OF BEGINNING;

thence South $35^{\circ}56'00''$ East 182.44 feet along northeasterly line of said 1.189 deed acre parcel to a point;

thence North $36^{\circ}08'00''$ East 157.96 feet along the northwesterly line of said 3.2522 deed acre parcel to a point on the southwesterly line of Fishcreek Road;

thence South $35^{\circ}56'00''$ East 179.23 feet along the southwesterly line of Fishcreek Road to a point;

thence South $29^{\circ}19'48''$ West 68.26 feet to a point;

thence South $36^{\circ}08'00''$ West 11.36 feet to a point;

thence South $53^{\circ}00'10''$ West 179.92 feet to a point;

thence North $36^{\circ}59'50''$ West 313.45 feet point on the southeasterly line of Stow Road;

thence North $36^{\circ}08'00''$ East 113.75 feet along the southeasterly line of Stow Road to THE TRUE POINT OF BEGINNING, containing 1.4195 acres but subject to all highways, easements and covenants of legal record as written by James D. Wellert, Registered Surveyor No. 7545, July, 2018 from existing records.

Bearings are based on an assumed meridian and are to be used only to denote angles.