

A RESOLUTION GRANTING A LOT SPLIT, INCLUDING VARIANCES, TO ANN VOROS, PROPERTY OWNER, IN ORDER TO SUBDIVIDE AND RECOMBINE THE LOTS ASSOCIATED WITH 1926 AND 1932 LIBERTY ROAD, IN THE CITY OF STOW, AND DECLARING AN EMERGENCY.

WHEREAS, on September 11, 2018, the Planning Commission did recommend to this Council the granting of a lot split with variances to Ann Voros 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 Ann Voros, property owner, is hereby granted a lot split, with variance approvals, to permit the subdivision and recombining of the lots associated with 1926 and 1932 Liberty Road.

The dwelling at 1926 Liberty Road is located 3 feet from the side property line after receiving a variance in 1993 (BZA 1993-005) and the dwelling at 1932 Liberty Road is located 10 feet from the side property line. The applicant is requesting approval to take 4 feet from 1932 Liberty Road and join it to 1926 Liberty Road. This will result in the dwelling located at 1932 Liberty Road being 6 feet from the property line and the lot width being reduced to 62.76 feet.

This proposal shall be in accordance with the conditions contained under Sections 1143.01 through 1143.13 and Section 1191.01 thru 1191.07, C.O.S.

(A) Said variances granted hereunder include:

1. This approval grants a variance from C.O.S. Section 1143.03 to locate a dwelling 6 feet from the side property line (minimum of 8 feet is required).
2. This approval grants a variance from C.O.S. Section 1191.04 to extend the nonconformity in regards to lot width for 1932 Liberty Road (existing lot width of 66.776 is reduced to 62.76 where the minimum lot width is 80 feet).

(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 965.01, C.O.S., the applicant shall post a cash or surety bond in the amount of \$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. This approval is non-assignable and may not be transferred without the consent of Council.
3. The authorization granted by this legislation shall become null and void if it is not signed or if the bond is not posted within thirty (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. 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 effectuate the lot split 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 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

EFFECTIVE DATE 10/1/18


Amber K. Zibritosky
LAW DIRECTOR

ASSENT AND ACCEPTANCE BY APPLICANT

I, Ann Voros, 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.

9/27/2018
Date


Ann Voros