

CITY OF SOUTH EUCLID, OHIO

ORDINANCE NO.: 05-11
INTRODUCED BY: Miller
REQUESTED BY: Miller, Goodman, & Mayor

February 14, 2011

AN ORDINANCE

AMENDING ORDINANCE 01-11 TO READ, AMENDING THE ZONING MAP OF THE CITY OF SOUTH EUCLID, OHIO AND SO AS TO CHANGE THE HEREINAFTER DESCRIBED PROPERTY FROM ITS EXISTING CLASS R-75 "ONE-FAMILY RESIDENTIAL DISTRICT" TO C-2 "GENERAL COMMERCIAL DISTRICT"; AND DECLARING AN EMERGENCY.

WHEREAS, FISE LLC, has submitted an amendment to their application requesting the rezoning of the hereinafter described property from its existing Class R-75 "One-Family Residential District" to C-3 "Special Commercial District"; and

WHEREAS, said amendment from FISE, LLC requests rezoning said property to C-2 "General Commercial District; and

WHEREAS, Council deems that the aforesaid zoning change should be made and that the same is conducive to the public, health, safety, convenience, prosperity, and general welfare of the municipality.

NOW, THEREFORE, BE IT ORDAINED, by the Council of the City of South Euclid, State of Ohio:

Section 1: That the Zoning Map of the City of South Euclid, Ohio made a part of said Ordinance, be changed and amended so as to rezone the following described property from its present Class R-75 "One-Family Residential District" to C-2 "General Commercial District," to wit:

Situated in the City of South Euclid, County of Cuyahoga, State of Ohio and known as being part of Original Euclid Township, Lot Nos. 23 and 24, Tract No. 2 and is further bounded and described as follows:

Beginning at a 5/8" iron pin found at the intersection of the center line of Warrensville Center Road (86 feet wide) with the center line of Cedar Road (70 feet wide). Thence North 00°-34'-38" West, along said center line of Warrensville Center Road, a distance of 1830.92 feet to a Northeasterly corner of The Rapid Transit Land Co's Subdivision No. 17A as shown by the recorded plat in Volume 81 of Maps, Page 32 of Cuyahoga County Records. Thence North 89°-52'-17" West, along a Northerly line of said Rapid Transit Land Co's Subdivision No. 17A, a distance of 43.00 feet to the Westerly right of way line of said Warrensville Center Road and the principal place of beginning of the land herein described;

- Course 1 Thence North 89°-52'-17" West, continuing along said Northerly line of The Rapid Transit Land Co's Subdivision No. 17A, a distance of 1357.39 feet to the intersection of the Southerly prolongation of the Easterly right of way line of Andrews Road (20 feet wide);
- Course 2 Thence North 00°-25'-43" East, along said Southerly prolongation and along said Easterly right of way line of Andrews Road, a distance of 1319.46 feet to a Northwesterly corner of the aforesaid City of South Euclid;
- Course 3 Thence South 89°-40'-23" East, along a Northerly line of said City of South Euclid, a distance of 1338.79 feet to the aforesaid Westerly right of way line of Warrensville Center Road;
- Course 4 Thence South 00°-03'-46" East, along said Westerly right of way line of Warrensville Center Road, a distance of 502.25 feet to an angle point therein;

Course 5 Thence South 00°-34'-38" East, continuing along said Westerly right of way line of Warrensville Center Road, a distance of 812.63 feet to the principal place of beginning and containing 40.7198 Acres (1,773,754 Square Feet) of land according to a survey made by Thomas J. Neff, Jr. Registered Surveyor No. 7065-Ohio in November of 2010.

The subject premises being the same land conveyed to the Oakwood Club by deed recorded in Volume 1485, Page 228 of Cuyahoga County Records.

The basis of bearings for the premises surveyed is North 89°-56'-50" East as the Northerly line of said Original Lot No. 24, Tract No. 2 and a Southerly right of way line of said Blanche Road as evidenced in the Taylor Heights Allotment as shown by the recorded plat in Volume 61 of Maps, Page 15 of Cuyahoga County Records.

Be the same more or less, but subject to all legal highways and easements of record.

Section 2: That it is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees on or after November 25, 1975, that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 3: That this Ordinance is deemed to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, and general welfare and for further reason that this Ordinance is necessary for the City to improve its economic development opportunities; and to expedite the acquisition of property for use as public green space. Wherefore, this Ordinance shall take effect and be in force from and after the earliest period allowed by law and upon signature of the Mayor.

Passed this _____ day of _____, 2011.

David B. Miller, President of Council

Attest:

Approved:

Keith A. Benjamin, Clerk of Council

Georgine Welo, Mayor

Approved as to form:

Michael P. Lograsso, Director of Law