

AN ORDINANCE REZONING CERTAIN PROPERTY LOCATED AT 3928 BRECKSVILLE ROAD FROM THE OFFICE/LIMITED INDUSTRIAL DISTRICT TO THE COMMERCIAL HISTORIC DISTRICT II.

WHEREAS, the Planning and Zoning Commission, at its April 12, 2016 meeting, recommended the rezoning of certain property located at 3928 Brecksville Road (the "Property") from the Office/Limited Industrial District to the Commercial Historic District II, following a request from the property owner, attached as Exhibit A, and a referral of the issue from Village Council on March 1, 2016; and

WHEREAS, this Council conducted a public hearing on the proposed rezoning of the Property on June 7, 2016.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Richfield, Summit County, State of Ohio:

SECTION 1. That the Property located at 3928 Brecksville Road, Richfield, Ohio, being Permanent Parcel Number 5001913, be, and the same hereby is, rezoned from the O/LI Office and Limited Industrial District to the C-H Commercial Historic District II.

SECTION 2. That all Ordinances and Resolutions inconsistent herewith be, and the same hereby are, repealed.

SECTION 3. That the Director of Planning and Zoning be, and hereby is, authorized and directed to make a notation of the foregoing on the official Zoning Map of the Village.

SECTION 4. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees 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 5. This Ordinance shall take effect and be in force from and after the earliest period allowed by law.

PASSED: 6/7/16

Ryan Ann Sues
President of Council

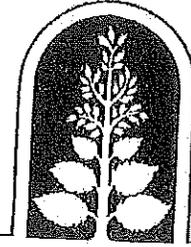
Barbara Barbara
Mayor

Dated: 6/7/16

ATTEST:
Carolyn E Sullivan
Clerk of Council

VILLAGE OF RICHFIELD

Crossroads of Community and Commerce



4410 W. Streetsboro Road, Richfield, Ohio 44286
330-659-9201 x 5

APPLICATION FOR ZONING AMENDMENT

RECEIVED
JAN 26 2016

DATE FILED _____ BY: _____

Applicant's Name: Michael Schwarzwald
 Address: 4803 Dublin Dr
N. Royalton, Ohio
 Phone: 440 799 7089

Owner's Name Patricia J. Novak
 Address: 12801 SPRAGUE DR
North Royalton, OH 44132
 Phone: 12-29-15

LOCATION AND DESCRIPTION OF PROPERTY TO BE AFFECTED

Address: 3928 Brecksville Rd, Richfield, OH 44286

SYNOPSIS OF PROPOSED ZONING TEXT CHANGE TO THE CURRENT ZONING CLASSIFICATION

Commercial Historic From Limited Industrial
Office/

ITEMS REQUIRED FOR SUBMISSION

All applications for a zoning amendment shall include:

1. Evidence that the existing Zoning Code is unreasonable with respect to the particular property, and deprives the property owner of his or her lawful and reasonable use of the land. For the purposes of this Zoning Code, a limitation upon the financial gain from the land in question shall not constitute unreasonable zoning.
2. Evidence that the proposed amendment would materialize in an equal or better Zoning Code than that existing.
3. An application fee of one hundred fifty dollars (\$150.00) to cover the cost of publishing and posting, mailing the notices of hearings and other expenses incident thereto. In the event the expenses amount to more than one hundred fifty dollars (\$150.00), the applicant shall pay the additional amount to the Village. Such fee shall not apply to any amendment initiated by Council or the Planning and Zoning Commission.
4. Proof of ownership of the parcel, or parcels, of property sought to be rezoned.
5. A legal description of the parcel, or parcels, of property with a drawing to scale.
6. A description of the proposed use of the property, as rezoned, either written, drawn or both.
7. A list of names and addresses of the owners of all properties lying within 1,000 feet to the parcel, or parcels, the zoning of which would be changed by the proposed amendment. Said names and addresses shall be placed on two sets of gummed labels. The applicant shall use the Summit County Auditor's current records for these names and addresses. (Ord. 47-1996. Passed 11-5-96.)

Signature: Patricia J. Novak

Name: PATRICIA J NOVAK

Please print

Request for Zoning Change

3928 Brecksville RD

Village of Richfield

Owner Name: Patricia Novak

Applicant Name: Michael Schwarzwaldner

In 2014 we sub-divided two parcels totally approx 17 acres into three as follows:

- a) Sale of parcel 1 to Columbus Equipment - Existing Tenant for over 30 years
- b) Sale of parcel 2 to the Village of Richfield – To be used for extension of Village of Richfield Fairview Cemetery
- c) Parcel 3 was retained by Pat J. Novak with the address of 3928 Brecksville Rd

The previously two original parcels were mostly being used by Columbus equipment and were zoned Limited Industrial.

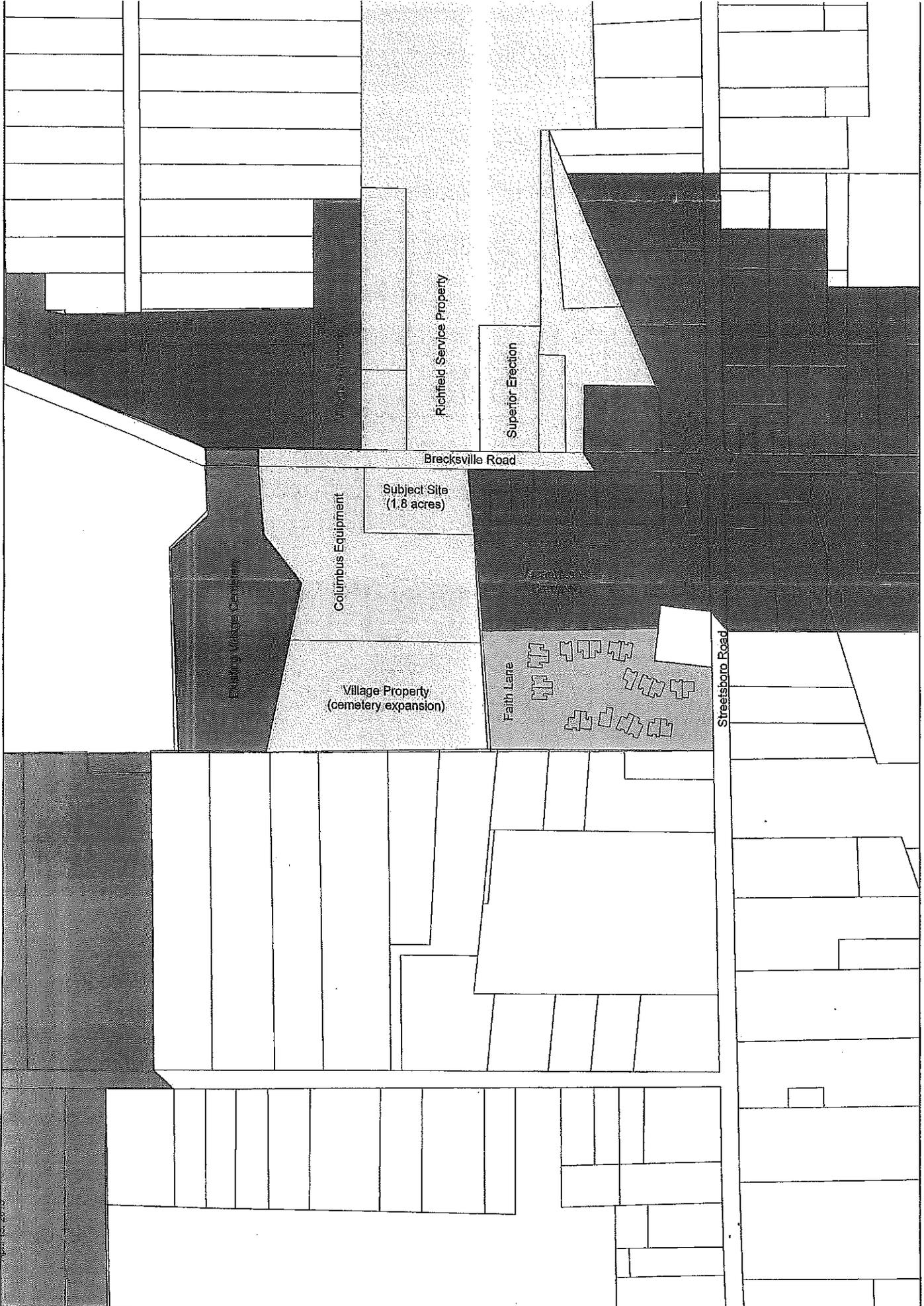
Given the sale/split we are requesting that the Pat Novak parcel be rezoning from Limited Industrial to Historic Commercial. This will be a more accurate representation of the property use which includes a house for office/living space on 2 acres.

This change in zoning would extend the current Historic Commercial zoning north on Brecksville road. Currently there is a Historic Marker on the north end of 3928 Brecksville which would not have to be moved once the zoning request was approved.

Your consideration and approval of this request is appreciated

Regards

Michael Schwarzwaldner



Village Cemetery

Columbus Equipment

Subject Site
(1.8 acres)

Village Property
(cemetery expansion)

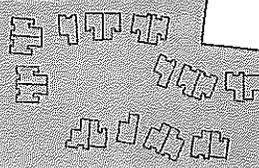
Fain Lane

Richfield Service Property

Superior Erection

Brecksville Road

Streetsboro Road



**CERTIFICATION OF PUBLIC HEARINGS
PURSUANT TO SECTION 715.75 OF THE OHIO REVISED CODE**

State of Ohio)
) ss:
County of Summit)

On this 7th day of June, 2016, I, Carolyn Sullivan, as the Clerk of Council for the Village of Richfield, Ohio, hereby certify that a public hearing was held on the rezoning of property located at 3928 Brecksville Road from the Office/Limited Industrial District to the Commercial Historic District. Notice of the public hearing was published in the Akron Beacon Journal, a newspaper of general circulation in Summit County, Ohio. The Affidavits of Publication for the newspaper notices are attached as Exhibit A.

I also certify that during the thirty-day period prior to the public hearing, all of the documents were available for public inspection in the Office of the Clerk of Council for the Village of Richfield, Ohio.



Carolyn Sullivan, Clerk of Council
Village of Richfield

* * * Communication Result Report (Apr. 30. 2016 9:56AM) * * *

1} Village of Richfield Council
2}

Date/Time: Apr. 30. 2016 9:55AM

File No.	Mode	Destination	Pg(s)	Result	Page Not Sent
0055	Memory TX	Beacon Journal	P. 2	OK	

Also emailed

Reason for error

- E. 1) Hang up or line fail
- E. 2) Busy
- E. 3) No answer
- E. 4) No facsimile connection
- E. 5) Exceeded max. E-mail size
- E. 6) Destination does not support IP-Fax

Village of Richfield
4410 Streeisboro Rd
P.O. Box 387
Richfield, Ohio 44286-0387

Clerk of Council
330 659-9201 Ext 228
330 659-2564 (Fax)

FAX TRANSMITTAL COVER

Company Name: Akron Beacon Journal, Legal Notices

Contact Name: Yolanda Ann Hartman
330-996-3368- 330 996 3191

Fax Number: 330 996 3074

Sender: Carolyn Sullivan
Clerk of Council
Fax: 330 659-2564

Description: Please publish this Public Hearing Notice in the Beacon on May 1, 2016.

**THIS IS THE REPLACEMENT FOR
THE NOTICE SENT 4/22.**

Number of pages 1
(not including cover):
Date & Time Sent: 11/2/2011 3:00 p.m.

If there are any Problems with this transmission, please call: Carolyn Sullivan at (330) 659-9201 Ext. 228 immediately

NOTICE OF PUBLIC HEARING VILLAGE OF RICHFIELD

A public hearing has been scheduled for discussion of Ordinance No. 24-2016 on Tuesday, June 7, 2016 at 6:30 pm in the Richfield Council Chambers, 4410 West Streetsboro Road.

Ordinance 24-2016 proposes that property located at 3928 Brecksville Road be rezoned from Office/Limited Industrial to the Commercial Historic District II.

Any person interested will be afforded an opportunity to be heard.

Carolyn Sullivan
Clerk of Council

Public Hearing Posting Information

I, Carolyn Sullivan, Clerk of Council of the Village of Richfield, Summit County, Ohio, do hereby certify that **Public Meeting Notice for Ordinance 24-2016** was duly posted by the Council of the Village of Richfield, Summit County, Ohio on the 1st day of May, 2016 in the Akron Beacon Journal. In addition to publication in Akron Beacon Journal, it has been posted in at least five (5) of the most public places in said Village as therefore determined by Council. Additionally it has been posted on the Village web site.

Most public places are:

- 1) Richfield Town Hall, 4410 Streetsboro Road
- 2) Richfield Police Department, 4410 West Streetsboro Road
- 3) United States Post Office, 3900 Broadview Road
- 4) Giant Eagle, 4428 Broadview Road
- 5) Richfield Senior Center, 4400 West Streetsboro Road
- 6) Richfield Library, 3761 S. Grant Street

Each posting is for a period of Ten (10) days commencing on the 25th day of April, 2016..



Clerk of Council
Village of Richfield