

A RESOLUTION REFERRING A ZONING TEXT AMENDMENT APPLICATION SUBMITTED BY M&D REALTY RICHFIELD LLC TO AMEND SECTION 1155.03 OF THE VILLAGE'S PLANNING & ZONING CODE, AND DECLARING AN EMERGENCY

WHEREAS, M&D Realty Richfield LLC ("M&D") is the owner of Parcel No. 50-00920 located at 3508 Brecksville Road, Richfield, Ohio 44286; and

WHEREAS, on or about June 11, 2021 the M&D and the Village entered into an Agreement regarding alleged violations of the Village's Planning & Zoning Code ("Zoning Code") concerning M&D's use of the premise in violation of the Zoning Code and a Conditional Zoning Permit issued by the Village's Planning & Zoning Commission ("Commission"); and

WHEREAS, as part of the Agreement M&D was required to submit a text amendment application in accordance with the requirements Chapter 1109 of the Zoning Code; and

WHEREAS, Charter Section 9.06 and Section 1109.07 of the Zoning Code requires the proposed zoning amendment to be referred to the Commission for approval, disapproval, or for recommended modifications.

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

- SECTION 1. The Zoning Text Amendment Application submitted by M&D Realty Richfield LLC to amend Section 115.03 of the Village's Planning & Zoning Code is referred to the Planning and Zoning Commission approval, disapproval, or for recommended modifications on the proposed zoning amendment.
- SECTION 2. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and 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 3. This Resolution is hereby declared to be an emergency measure for the immediate preservation of the public health, safety, and welfare and for the further reason that it is necessary to refer the proposed rezoning amendment to the Planning Commission's evaluation and recommendation as soon as possible; wherefore, provided this Resolution receives the affirmative vote of two-thirds of the members of Council elected or appointed, it shall take effect immediately upon its passage and execution by the Mayor; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED:

7-20-21



President of Council




Mayor

Dated:

7/20/2021

ATTEST



Clerk of Council