

Ordinance No. 2023-45

Passed AUGUST 2, 2023

SPONSOR: PLANNING COMMITTEE

AN ORDINANCE REZONING THE REAL PROPERTY LOCATED AT 176 NORTH CLEVELAND AVENUE FROM AN R-1 ZONING DISTRICT DESIGNATION TO AN R-2 ZONING DISTRICT DESIGNATION, AND DECLARING AN EMERGENCY.

WHEREAS, Section 152.133 of the Village's Codified Ordinances provides this Council the authority to modify the number, shape or area of the districts established by the Codified Ordinances and set forth on the Village's zoning map, including amending said zoning map, provided that the Village complies with the procedural requirements contained therein; and

WHEREAS, the owners of the real property located at 176 North Cleveland Avenue, Mogadore, OH 44260, consisting of 1.016 acres and identified in the Summit County Records as Parcel No. 5500181 (the "Property") previously filed an application with the Clerk-Treasurer to rezone the Property from an R-1 zoning district designation to an R-2 zoning district designation; and

WHEREAS, following proper notice, this Council and the Village's Planning Commission held a joint hearing on the application for the rezoning of the Property from an R-1 zoning district designation to an R-2 zoning district designation on June 12, 2023, pursuant to Section 152.133 of the Village's Codified Ordinances; and

WHEREAS, on June 26, 2023, the Village's Planning Commission voted unanimously to recommend the rezoning of the Property from an R-1 zoning district designation to an R-2 zoning district designation; and

WHEREAS, this Council finds and determines, after reviewing all pertinent information, that it is necessary and in the best interest of the Village to rezone the Property from an R-1 zoning district designation to an R-2 zoning district as set forth herein, and to amend the Village's zoning map accordingly.

NOW, THEREFORE BE IT ORDAINED, by the Council of the Village of Mogadore, Counties of Summit and Portage, State of Ohio, that:

SECTION 1: Pursuant to Section 152.133 of the Village's Codified Ordinances, this Council hereby rezones the Property from an R-1 zoning district designation to an R-2 zoning district.

SECTION 2: The Village's zoning map is hereby amended to reflect the Property as part of the Village's R-2 zoning district designation.

SECTION 3: This Council finds and determines that all formal actions of this Council concerning and relating to the adoption of this Ordinance were taken in open meetings of this Council and any deliberations of this Council and any of its committees that resulted in this formal action were in meetings open to the public, in compliance with all legal requirements.

RECORD OF ORDINANCES

First Reading: July 5, 2023
Second Reading: July 19, 2023

Ordinance No. 2023-45

Passed AUGUST 2, 2023

SECTION 4: This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety of the residents of the Village of Mogadore and for the purpose of amending the zoning designation for the Property so that the owners of the Property may proceed with the construction of an apartment addition to the house located on the Property, and, provided this Ordinance receives the affirmative vote of at least five (5) members elected or appointed to this Council, it shall take effect and be in force upon its passage by Council and approval by the Mayor, otherwise it shall take effect and be in force at the earliest period allowed by law.

Michael Raddish 8-2-23
President of Council Date

Paul A. ... 8-2-23
Mayor Date

Attest:

Scott ...
Clerk-Treasurer