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5 CITY OF CUYAHOGA FALLS, OHIO

6
7 ORDINANCE NO. *BB* - 2012

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9 AN ORDINANCE APPROVING A CONDITIONAL ZONING
10 CERTIFICATE FOR THE OPERATION OF A VEHICLE
11 REPAIR FACILITY AND OUTDOOR SALES LOT AT
12 1559 STATE ROAD, IN AN MU-4 MIXED USE
13 DISTRICT, AND DECLARING AN EMERGENCY.
14

15 WHEREAS, Art. VIII, §1.7 of the Charter of the City of Cuyahoga Falls requires
16 that all affirmative decisions made by the Planning Commission be submitted to
17 Council; and
18

19 WHEREAS, the Planning Commission jurisdiction to grant a conditional zoning
20 certificate relative to certain uses in certain districts, subject to the approval of this
21 Council, pursuant to Section 1113.08 of the Codified Ordinances, and
22

23 WHEREAS, on October 2, 2012, the Planning Commission approved the
24 issuance of a conditional zoning certificate for the operation of a vehicle repair
25 facility and outdoor sales lot at 1559 State Road (Parcel Nos. 02-02756, 02-15266,
26 02-00120, 02-00121, 02-00122, 02-00123, 02-00124, 02-00182, 02-00183 and
27 02-00184), within the City of Cuyahoga Falls, Ohio.
28

29 NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Cuyahoga
30 Falls, County of Summit, and State of Ohio, that:
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32 Section 1. This Council approves the issuance of a conditional zoning certificate
33 for the operation of a vehicle repair facility and outdoor sales lot at 1559 State
34 Road (Parcel Nos. 02-02756, 02-15266, 02-00120, 02-00121, 02-00122, 02-00123,
35 02-00124, 02-00182, 02-00183 and 02-00184), Cuyahoga Falls, Ohio, situated an
36 MU-4 Mixed Use Center District, as provided for in the Codified Ordinances of the
37 City of Cuyahoga Falls and as approved by the Planning Commission as per the
38 plans and stipulations contained in File P-23-12-CZ, and as further detailed in the
39 plan and elevation drawings set forth in Exhibit A hereto. This approval is without
40 prejudice to the City's right of revocation.
41

42 Section 2. Any other ordinances or resolutions or portions of ordinances and
43 resolutions inconsistent herewith be and the same are hereby repealed, but any
44 ordinances and resolutions not inconsistent herewith and which have not
45 previously been repealed are hereby ratified and confirmed.
46

47 Section 3. It is found and determined that all formal actions of this Council
48 concerning and relating to the adoption of this ordinance were adopted in an open
49 meeting of this Council, and that all deliberations of this Council and of any of its
50 committees that resulted in such formal action, were in meetings open to the

51 public, in compliance with all legal requirements, to the extent applicable,
52 including Chapter 107 of the Codified Ordinances.

53

54 Section 4. This ordinance is hereby declared to be an emergency measure
55 necessary for the preservation of the public peace, health, safety, convenience and
56 welfare of the City of Cuyahoga Falls and the inhabitants thereof, for the reason
57 that it is immediately necessary to permit timely and appropriate development of
58 this property, and provided it receives the affirmative vote of two thirds of the
59 members elected or appointed to Council, it shall take effect and be in force
60 immediately upon its passage and approval by the Mayor; otherwise it shall take
61 effect and be in force at the earliest period allowed by law.

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64 Passed: 10-22-12

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70 Approved: 10/23/12

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74 10/8/12

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Mark Mang
President of Council

Cathleen J. Meacham
Clerk of Council

D. Robert
Mayor

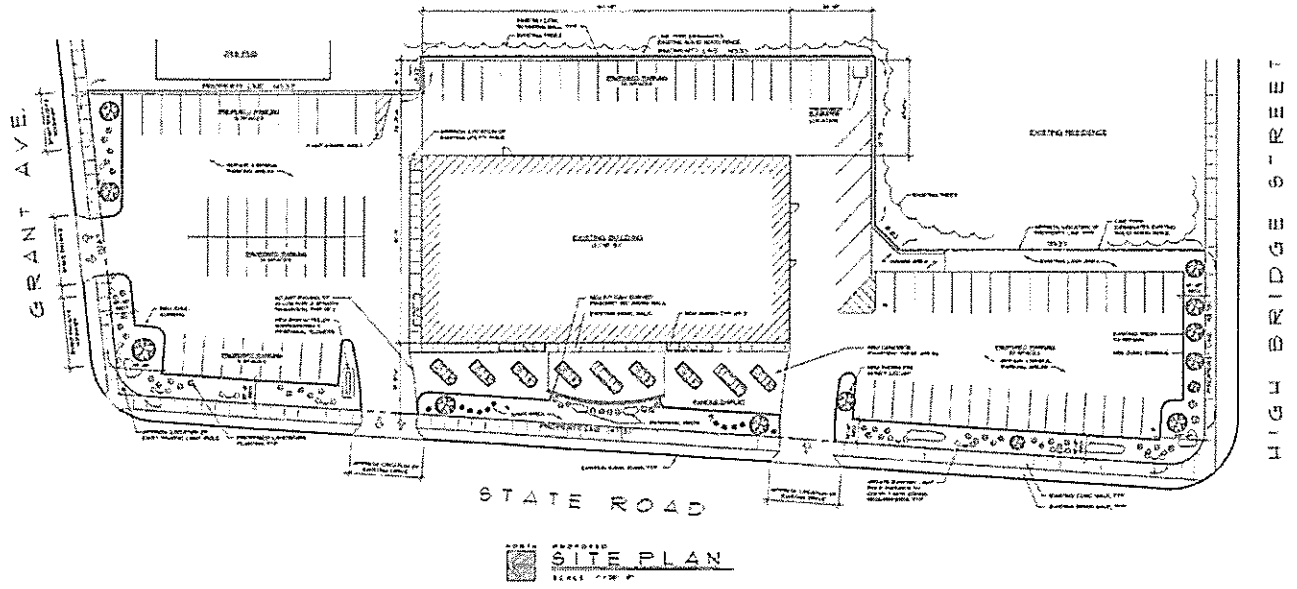


Figure 1 - Site Plan

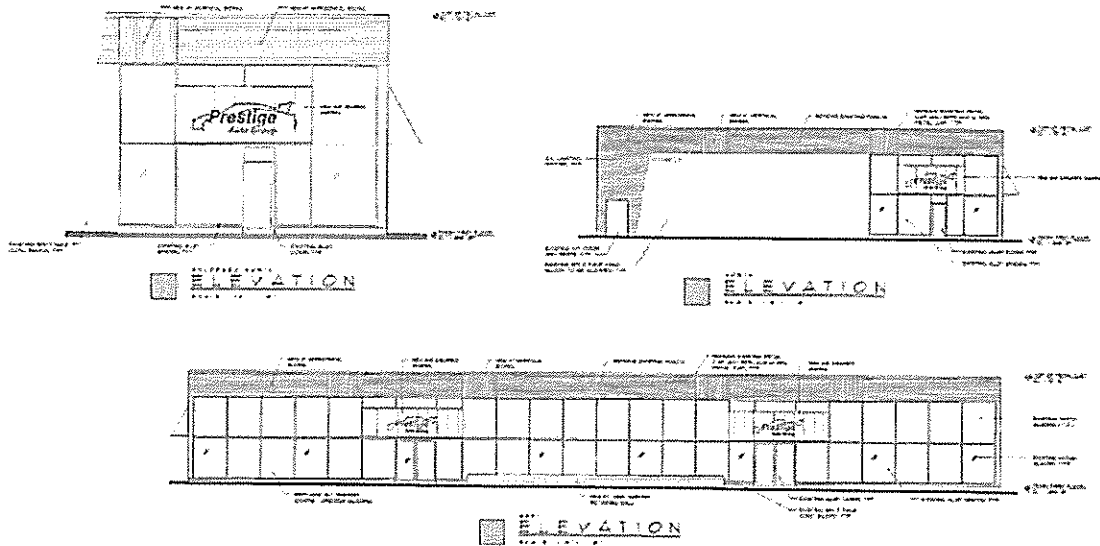


Figure 2 - Building Elevations