

**REGULAR CAUCUS MEETING
OF THE COUNCIL OF THE CITY OF BROOK PARK, OHIO
TO BE HELD ON TUESDAY, JANUARY 23, 2018
7:00 P.M.**

I. ROLL CALL OF MEMBERS

II. PLEDGE OF ALLEGIANCE

III. APPROVAL OF MINUTES OF PRECEDING MEETINGS:

1. REGULAR CAUCUS MEETING HELD ON JANUARY 9, 2018.

IV. DISCUSSION:

1. DIVISION OF LIQUOR CONTROL - **C TRFO 4258665 FOR A C1, C2 AND D6 TO JAY BAJRANGBALI, LLC DBA BROOKPARK SMOKES & BEVERAGE, 5707 SMITH ROAD, BROOK PARK, OH 44142 FROM SHRI VIRATMA, LLC, DBA BROOKPARK SMOKES & BEVERAGE, 5707 SMITH ROAD, BROOK PARK, OH 44142. **POSTMARK DATE 2/5/18** - PER COUNCIL PRESIDENT VECCHIO**

2. A RESOLUTION GRANTING AN AMENDMENT TO THE CONDITIONAL USE PERMIT TO CONSTRUCT AND MAINTAIN A TWO-FAMILY DWELLING AT 6091 SMITH ROAD, LOCATED IN THE U1-A5 ZONE AND DECLARING AN EMERGENCY. **(Approved at the Planning Commission September 11, 2017) based on the revised TOPO submitted by the applicant 12/6/17 and the Engineer's comments dated 12/12/17. In attendance: Ericka Bogdan, 4450 Sir Richard Avenue, North Royalton (Note: Resolution No. 24-2017 adopted on October 3, 2017 included in packet for reference purposes) - PER COUNCIL PRESIDENT VECCHIO**

3. A RESOLUTION GRANTING A CONDITIONAL USE PERMIT TO MAINTAIN A TWO-FAMILY DWELLING AT 5774 SMITH ROAD, LOCATED IN THE U5-A ZONE AND DECLARING AN EMERGENCY - PER COUNCIL PRESIDENT VECCHIO

4. APPOINTMENTS OF COUNCIL CLERK AND ANY SUCH EMPLOYEES AS COUNCIL MAY DEEM NECESSARY - PER COUNCIL PRESIDENT VECCHIO

IV. DISCUSSION: CONT.

5. INTERIM SERVICE DIRECTOR - JOHN PENSIS (Mayor Gammella) - PER COUNCIL PRESIDENT VECCHIO

6. PROPOSED CITYWIDE PROJECTS (Councilman Salvatore) - PER COUNCIL PRESIDENT VECCHIO

V. ADJOURNMENT:

Posted 1/19/18

NOTICE TO LEGISLATIVE
AUTHORITY

OHIO DIVISION OF LIQUOR CONTROL
6606 TUSSING ROAD, P.O. BOX 4005
REYNOLDSBURG, OHIO 43068-9005
(614)644-2360 FAX(614)644-3166

TO

4258665 <small>PERMIT NUMBER</small>			TRFO <small>TYPE</small>	JAY BAJRANGBALI LLC DBA BROOKPARK SMOKES & BEVERAGE 5707 SMITH RD BROOKPARK OH 44142
10	01	2017 <small>ISSUE DATE</small>		
01	02	2018 <small>FILING DATE</small>		
C1	C2	D6 <small>PERMIT CLASSES</small>		
18	110	C <small>TAX DISTRICT</small>	F19669 <small>RECEIPT NO.</small>	

FROM 01/04/2018

8113161 <small>PERMIT NUMBER</small>				SHRI VIRATMA LLC DBA BROOKPARK SMOKES & BEVERAGE 5707 SMITH RD BROOKPARK OH 44142
10	01	2017 <small>ISSUE DATE</small>		
01	02	2018 <small>FILING DATE</small>		
C1	C2	D6 <small>PERMIT CLASSES</small>		
18	110	 <small>TAX DISTRICT</small>	 <small>RECEIPT NO.</small>	



MAILED 01/04/2018

RESPONSES MUST BE POSTMARKED NO LATER THAN. 02/05/2018

IMPORTANT NOTICE

PLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL
WHETHER OR NOT THERE IS A REQUEST FOR A HEARING.
REFER TO THIS NUMBER IN ALL INQUIRIES **C TRFO 4258665**

(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

WE REQUEST A HEARING ON THE ADVISABILITY OF ISSUING THE PERMIT AND REQUEST THAT
THE HEARING BE HELD IN OUR COUNTY SEAT. IN COLUMBUS.

WE DO NOT REQUEST A HEARING.

DID YOU MARK A BOX? IF NOT, THIS WILL BE CONSIDERED A LATE RESPONSE.

PLEASE SIGN BELOW AND MARK THE APPROPRIATE BOX INDICATING YOUR TITLE:

(Signature)

(Title)- Clerk of County Commissioner

(Date)

Clerk of City Council

Township Fiscal Officer

CLERK OF BROOK PARK CITY COUNCIL
6161 ENGLE ROAD
BROOK PARK OHIO 44142

18 JAN 08 PM 11:24:46

Commerce Division of Liquor Control : Web Database Search

OWNERSHIP DISCLOSURE INFORMATION

This online service will allow you to obtain ownership disclosure information for issued and pending retail liquor permit entities within the State of Ohio.

Searching Instructions

Enter the known information and click the "Search" button. **For best results, search only ONE criteria at a time.** If you try to put too much information and it does not match exactly, the search will return a message "No records to display".

The information is sorted based on the Permit Number in ascending order.

To do another search, click the "Reset" button.

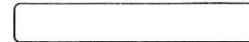
SEARCH CRITERIA	
Permit Number	<input type="text" value="4258665"/>
Permit Name / DBA	<input type="text"/>
Member / Officer Name	<input type="text"/>

[Search](#)[Reset](#)[Main Menu](#)

Member/Officer Name	Shares/Interest	Office Held
Permit Number: 4258665; Name: JAY BAJRANGBALI LLC; DBA: DBA BROOKPARK SMOKES & BEVERAGE; Address: 5707 SMITH RD BROOKPARK 44142		
BHAVANABEN H PATEL	MANAGE MEM	
VIVEKBHAI H PATEL	MANAGE MEM	

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PLEASE NOTE: The Ohio Department of Commerce web services will be intermittently unavailable from January 19, 2018 @ 5 PM until January 22, 2018 @ 8 AM

Manufacturer

Permit Class	Permit Fee	Description
A1	\$3,906	ORC 4303.02 Manufacturer of Beer – producing more than 31 million gallons per year, wherever produced, and sell beer products to wholesale permit holders.
A1A	\$3,906	ORC 4303.021 Beer, and any intoxicating liquor by the glass or container on A-1 or A-2 permit premises only until 2:30am.
A1c	\$1,000	ORC 4303.022 Manufacturer of Beer - producing up to 31 million gallons per year wherever produced, for sale on premises at retail for on premises consumption, and sell beer products to retail and wholesale permit holders.
A2	\$76	ORC 4303.03 Manufacturer of wine.
A-2f	\$76	ORC 4303.031 Ohio farm winery that grows and manufactures wine, from grapes, fruits, or other agricultural products on land it owns and uses only for agriculture.
A3	\$2 to \$3,906	ORC 4303.04 Manufacture, import and sell alcohol and spirituous liquor
A3A	\$2 to \$400	ORC 4303.041 Manufacturer of less than 100,000 gallons of spirituous liquor and sale to a personal consumer.
A4	\$3,906	ORC 4303.05 Manufacture and sell certain prepared and bottled drinks, import for blended purposes
A5	\$1,000 per plant	ORC 4303.051 Manufacturer of ice cream containing not less than one-half of one percent alcohol by volume and not more than six percent of alcohol by volume. This holder may sell ice cream for consumption on the premises where manufactured or in sealed containers for consumption off premises. This law will become effective September 29, 2017.
B2A	\$25	ORC 4303.07 Sale of wine to retail permit holder.
S	\$25	ORC 4303.232 Sale of wine to personal consumer via mail order.
W	\$1,563	ORC 4303.231 To operate a warehouse for the storage of beer or intoxicating liquor within the state and to sell such products from the warehouse to a B permit holder with Consent to Import on file or to other customers outside this state.

Distributor

Permit Class	Permit Fee	Description
B1	\$3,125	ORC 4303.06 Distributor of beer, ale, stout, other malt liquor.
B2	\$500	ORC 4303.07 Distributor of bottled wine.
B3	\$124	ORC 4303.08 Distributor of sacramental wine.
B4	\$500	ORC 4303.09 Distributor of mixed beverages.
B5	\$1,563	ORC 4303.10 Distributor and importer and bottler of wine.

Retail Store Carryout

Permit Class	Permit Fee	Description
C1	\$252	ORC 4303.11 Beer only in original sealed container for carry out only.
C2	\$376	ORC 4303.12 Wine and mixed beverages in sealed containers for carry out.
C2X	\$252	ORC 4303.121 Beer in original sealed containers for carry out.
D8	\$500	ORC 4303.184 Sale of tasting samples of beer, wine, and mixed beverages, but not spirituous liquor, at retail, for consumption on premises.

Restaurant / Night Club

Permit Class	Permit Fee	Description
D1	\$376	ORC 4303.13 Beer only for on premises consumption or in original sealed containers for carry out only until 1:00am.
D2	\$564	ORC 4303.14 Wine and mixed beverages for on premises consumption or in original sealed containers for carryout only until 1:00am.
D2X	\$376	ORC 4303.141 (Grandfathered Permit) Beer only for on premises consumption or in original sealed containers for carryout only until 1:00am.

D3	\$750	<u>ORC 4303.15</u> Spirituous liquor for on premises consumption only until 1:00am.
D3X	\$300	<u>ORC 4303.151</u> (Grandfathered Permit) Wine only for on premises consumption until 1:00am.
D3A	\$938	<u>ORC 4303.16</u> Extend Issued permit privileges until 2:30am.
D5	\$2,344	<u>ORC 4303.18</u> Spirituous liquor for on premises consumption only, beer, wine and mixed beverages for on premises, or off premises in original sealed containers, until 2:30am.
D5I	\$2,344	<u>ORC 4303.181</u> (Same as D5), Restaurant meeting certain criteria.
D7	\$469	<u>ORC 4303.183</u> (Same as D5), RESORT area only.

>Club

Permit Class	Permit Fee	Description
D4	\$469	<u>ORC 4303.17</u> Beer and any intoxicating liquor to members only, for on premises consumption only until 1:00am.
D4A	\$750	<u>ORC 4303.171</u> Airline club only - Beer and any intoxicating to members and guests until 2:00am.
D5C	\$1,563	<u>ORC 4303.181</u> (Same as D5)(This class can no longer be applied for.)
D5D	\$2,344	<u>ORC 4303.181</u> (Same as D5) located at airport.

Hotel And Motel

Permit Class	Permit Fee	Description
D5A	\$2,344	<u>ORC 4303.181</u> (Same as D5) for hotel or motel with 50 or more rooms for transient guests.

Enclosed Shopping Mall

Permit Class	Permit Fee	Description
D5B	\$2,344	<u>ORC 4303.181</u> (Same as D5) for enclosed shopping mall.

River Boats

Permit Class	Permit Fee	Description
D5E	\$1,219	<u>ORC 4303.181</u> (Same as D5), Historical river boat owned by charitable organization only.

Marinas

Permit Class	Permit Fee	Description
D5F	\$2,344	<u>ORC 4303.181</u> (Same as D5), Marina restaurant only.

Museums

Permit Class	Permit Fee	Description
D5G	\$1,875	<u>ORC 4303.181</u> (Same as D5), National sports museum only.
D5H	\$1,875	<u>ORC 4303.181</u> (Same as D5 – except sales till one am), Non-Profit organization exempt from federal income taxation, that owns a fine arts museum, community arts center or community theater.

Community Entertainment District/Revitalization

Permit Class	Permit Fee	Description
D5J	\$2,344	<u>ORC 4303.181</u> (Same as D5), Community Entertainment District.
D5L	\$2,344	<u>ORC 4303.181</u> (Same as D5); Revitalization District.

Sunday Sales

Permit Class	Permit Fee	Description
D6	\$400-c \$500-d	<u>ORC 4303.182</u> Sale of intoxicating liquor on Sunday between the hours 10:00am or 11:00am and midnight.

Other

Permit Class	Permit Fee	Description
D5K	\$1,875	<u>ORC 4303.181</u> (Same as D5 – except sales till one am), Certain non profit organizations that own and operate a botanical garden.

D5M	\$2,344	ORC 4303.181 (Same as D5). Restaurant affiliated with center for the preservation of wild animals.
D5N	\$20,000.00	ORC 4303.181(N) (Same as D5). Casino Operator or Casino Management Company.
D5O	\$2344.00	ORC 4303.181(O) (Same as D5). Restaurant located in a casino.
E	\$500	ORC 4303.19 Railroad car or airline to sell beer or any intoxicating liquor at retail in glass or from container for consumption in such car or aircraft.
G	\$100	ORC 4303.21 Retail drug store (alcohol for medicinal, industrial, mechanical, chemical, or scientific purposes).
H	\$300	ORC 4303.22 Carrier by rail or for hire motor carrier who also holds a license issued by the public utilities commission to transport beer, intoxicating liquor, and alcohol, or any of these, in this state or delivery or use in this state.
I	\$200	ORC 4303.23 Wholesale druggist (purchase - import alcohol for sale at wholesale and retail).

Temporary Permits

Permit Class	Permit Fee	Description
F	\$40	ORC 4303.20 Valid for beer only until 1:00am. (Temporary - 5 days).
F1	\$250	ORC 4303.201 Temporary "Special Function" permit (3 days) (allows B.Y.O.B. by a nonprofit organization at Municipal Convention Center).
F2	\$150 \$160 (jointly)	ORC 4303.202 Temporary permit (four consecutive days) beer and any intoxicating liquor by glass or container on premises only until 1:00am. (1 every 30 days in same name)
F3	\$300	ORC 4303.203 Alcohol Beverage Industry Education.
F4	\$60	ORC 4303.204 Certain non profit organizations for an event that includes the introduction, showcasing or promotion of wines produced in Ohio; to furnish at no charge 2 oz. samples and sale for on premises consumption and carry out of wine from participating A2 permit holders. The fee is \$60 (per day).
F5	\$180	ORC 4303.205 Beer and Intoxicating liquor issued to a Riverboat at a festival sponsored by a nonprofit organization (6 days - one per calendar year).
F6	\$50	ORC 4303.206 Sale of wine by a 501(c)(3) nonprofit organization (72 consecutive hours - 6 per year).
F7	\$450	ORC 4303.207 Beer, wine, mixed beverages, and spirituous liquor issued to a nonprofit organization at a "qualified golf event", meeting certain criteria until 1AM. (8 days - two(2) per calendar year).
F8	\$1700	ORC 4303.208 Temporary permit to a not-for-profit organization for sales on publicly owned property located in Hamilton County only.
F9	\$1700	ORC 4303.209 Temporary Permit to a nonprofit corporation that operates park on property leased from a municipal or non-profit corporation that provides or manages entertainment programming having an agreement meeting certain - in Franklin County only.
F-10	\$100	ORC 4303.2010 Sales of tasting samples of wine manufactured by an A-2 or S permit holder conducted at a registered farmers market, or in sealed containers for consumption off premises.

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CONTACT US

Division of Liquor Control
6606 Tussing Road
Reynoldsburg, OH 43068

Phone 614.644.2360
Email Web.liqr@com.state.oh.us

Webmaster
Contact the Webmaster for Questions
or Comments on the Website:
webmaster@com.state.oh.us

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Hearing Procedure:

- Hearings are held at the Division's offices in Reynoldsburg, the county seat of the permit holder/applicant, or via video conference where available.
- The objector must appear for the objection to be considered. The hearing is public and citizens may attend but cannot present evidence or provide testimony unless designated to do so by the objector or permit holder/Applicant.
- An attorney from the Division conducts the hearing, but does not make a decision. A report is submitted to the Division's superintendent who decides whether to overrule or sustain the objection.
- The permit holder/applicant or legislative authority can appeal the decision to the Ohio Liquor Control Commission (<http://www.lcc.ohio.gov/>). Public institutions have no legal right to appeal the Division's decisions.

Evidence:

The Division's decision are guided by statutes, rules and legal cases. Evidence must be pertinent to the advisability of granting or renewing the permit. Speculative testimony not supported by sufficient evidence has been ruled by Ohio courts to be insufficient reason not to allow a business to operate. The burden of proof is on the objecting party, and the evidence presented must be reliable, probative and substantial:

- Reliable - Evidence that is dependable and can be confidently trusted
- Probative - Relevant evidence that tends to prove the issue in question
- Substantial - Evidence with some weight, importance and value

Statutory Basis to Sustain Objection:

The grounds for which the Division can deny a permit or reject a permit renewal are provided in Ohio Revised Code Section 4303.292 (<http://codes.ohio.gov/orc/4303.292>).

Examples:

- Conviction for a crime relating to the ability to operate a liquor establishment by the applicant, any partner, member, officer, director, manager or shareholder owning five percent or more of the capital stock.
- An applicant's unfavorable enforcement record and/or operation in disregard of laws, regulations or local ordinances.
- The location of the establishment substantially and adversely interfering with the public decency, sobriety, peace, or good order of the neighborhood, or the normal, orderly conduct of a public institution.
- Saturation in the neighborhood such that the permit applied for would be detrimental to and substantially interfere with the morals, safety or welfare of the public.

See the Division's website at www.com.ohio.gov/liqr for more information on presenting a successful objection case. Please contact the Division's Legal Section at 614-644-2489 with any questions regarding the objection process.

1-800-750-0750 (TTY/TDD)
www.com.ohio.gov/liqr

Ohio | Department
of Commerce



MEMO

18 JAN 9 PM 3:57:38

To: Michelle Blazak, Clerk of Council
CC: Kate Schmidt, Law Department
Mayor Gammella, Planning Chairman
File
From: Katie Anzalone, BZA/PC Secretary
Date: 01/09/18
Re: Approval

The requests below were approved as follows at the Monday – January 8, 2018 Planning Commission meeting, and should be forwarded to City Council for approval:

1. Request to amend the Conditional Use Permit (To construct and maintain a two family dwelling at 6091 Smith Road located in the U1-A5 zone – Approved at Planning Commission September 11, 2017) based on the revised TOPO submitted by the Applicant 12/6/17 and the Engineer's comments dated 12/12/17.

Planning Commission Condition for Approval:

1. Must comply with City Engineer comments

Contact: Ericka Bogdan Phone: (216) 470 – 2873
4450 Sir Richard Avenue Email: erickazach1@yahoo.com
North Royalton, Ohio 44133

2. Request for a Conditional Use Permit to maintain a two-family dwelling at 5774 Smith Road, located in the U5-A Zone.

Planning Commission Condition for Approval:

1. The property will revert back to single family use once the original family members (tenants) vacate the premises.

Contact: Efren & Janet Vega Phone: (216) 394 – 6775 or (216) 972 – 8188
5774 Smith Road Email: k24king91@gmail.com
Brook Park, Ohio 44142

CITY OF BROOK PARK, OHIO

Resolution No. _____

Introduced By: COUNCIL AS A WHOLE

**A RESOLUTION
GRANTING AN AMENDMENT TO THE CONDITIONAL USE PERMIT TO
CONSTRUCT AND MAINTAIN A TWO FAMILY DWELLING AT
6091 SMITH ROAD, LOCATED IN THE U1-A5 ZONE,
AND DECLARING AN EMERGENCY**

WHEREAS, Ericka Bogdan filed an application for a conditional use permit with the Brook Park Planning Commission; and

WHEREAS, the conditional use requested is to construct and maintain a two family dwelling at 6091 Smith Road located in the U1-A5 Zone; and

WHEREAS, the request for a conditional use permit was presented at a public hearing on September 11, 2017 before the Brook Park Planning Commission, which referred this matter to Council for approval and recommended the waiver of requirements set forth in Section 1121.36(c) of the Brook Park Codified Ordinances; and

WHEREAS, an amendment was recommend by our City Engineer for one driveway with a turnaround for a double car garage and was reviewed at the January 8, 2018 Planning Commission meeting and approved, and was forwarded to City Council for approval;

NOW THEREFORE BE IT RESOLVED, by the Council of the City of Brook Park, State of Ohio that:

SECTION 1: The Council of the City of Brook Park finds that the proposed amended conditional use permit requested is appropriate in the location for which it is proposed and hereby grants the conditional use permit, if the following specific conditions are met:

- A. Install one driveway with turn around and double garage; thereby eliminating the City's previous requirement of a separate driveway for each garage.
- B. Utilizing the existing storm connection and sanitary connection to service the proposed home as recommended by City Engineer.

- C. Proposed basement must be serviced by existing storm connection and sanitary connection.
- D. Variance will be required for size of proposed garages.

SECTION 2: It is found and determined that all formal actions of this Council concerning and relating to this Resolution 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 actions 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 immediately necessary for the preservation of the public peace, health, safety and welfare of said City, and for the further purpose of granting an amended conditional use permit to construct and maintain a two-family dwelling; therefore provided this Resolution receives the affirmative vote of at least five (5) members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, from and after the earliest period allowed by law.

PASSED: _____
COUNCIL

PRESIDENT OF COUNCIL

ATTEST: _____
Clerk of Council

APPROVED: _____
MAYOR

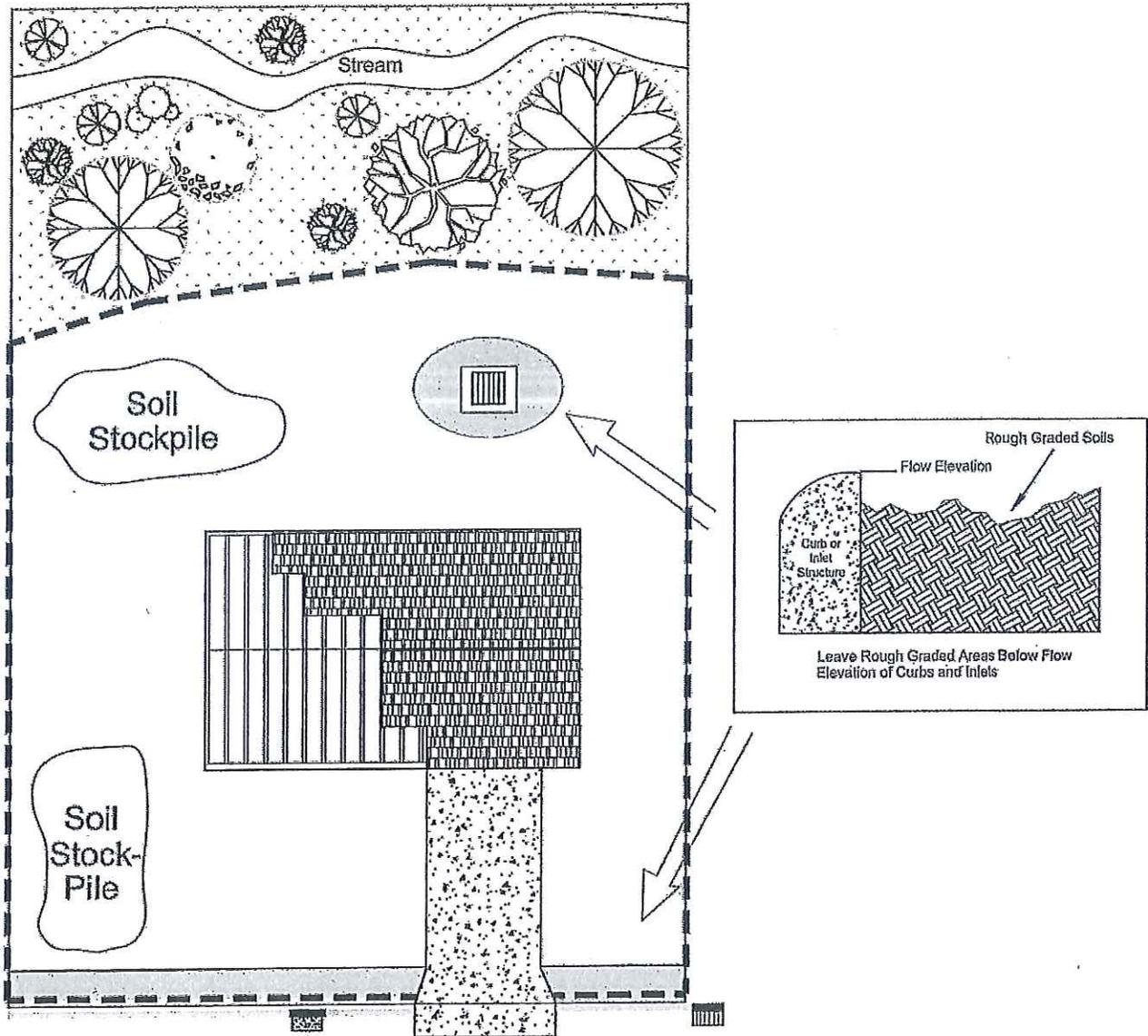
DATE

I HEREBY APPROVE THE WITHIN
INSTRUMENT AS TO LEGAL FORM
AND CORRECTNESS



DIRECTOR OF LAW

Specifications
for
Small Construction Site Controls



PLAN VIEW

-  Temporary seeding and/or mulch applied to rough graded areas
-  Construction Entrance gravel
-  Rough grade areas to allow settling below grade elevation
-  Storm Drain w/inlet protection
-  Storm Drain without inlet protection
-  Yard Drain w/inlet protection
-  Silt Fence
-  Curb

Reference Material

P/C _____
CA 9-26-17
1st R 10-3-17
2nd R _____
3rd R _____
B/C _____

CITY OF BROOK PARK, OHIO

Resolution No. 24-2017

Introduced By: COUNCIL AS A WHOLE

A RESOLUTION
GRANTING A CONDITIONAL USE PERMIT TO
CONSTRUCT AND MAINTAIN A TWO FAMILY DWELLING AT
6091 SMITH ROAD, LOCATED IN THE U1-A5 ZONE,
AND DECLARING AN EMERGENCY

WHEREAS, Ericka Bogdan filed an application for a conditional use permit with the Brook Park Planning Commission; and

WHEREAS, the conditional use requested is to construct and maintain a two family dwelling at 6091 Smith Road located in the U1-A5 Zone; and

WHEREAS, the request for a conditional use permit was presented at a public hearing on September 11, 2017 to the Brook Park Planning Commission, which referred this matter to Council for approval and recommended the waiver of requirements set forth in Section 1121.36(c) of the Brook Park Codified Ordinances.

NOW THEREFORE BE IT RESOLVED, by the Council of the City of Brook Park, State of Ohio that:

SECTION 1: The Council of the City of Brook Park finds that the proposed conditional use permit requested is appropriate in the location for which it is proposed and hereby grants the conditional use permit, if the following specific conditions are met:

- A. Separate driveway and garage to be provided for each unit.
- B. Utilizing the existing storm connection and sanitary connection to service the proposed home as recommended by City Engineer.
- C. Proposed basement must be serviced by existing storm connection and sanitary connection.
- D. Variance will be required for size of proposed garage.

SECTION 2: It is found and determined that all formal actions of this Council concerning and relating to this Resolution 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 actions 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 immediately necessary for the preservation of the public peace, health, safety and welfare of said City, and for the further purpose of granting a conditional use permit to construct and maintain a two family dwelling; therefore provided this Resolution receives the affirmative vote of at least five (5) members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, from and after the earliest period allowed by law.

PASSED: October 3, 2017

Jim Astrow
PRESIDENT OF COUNCIL

ATTEST: Michelle Blazak
Clerk of Council

APPROVED: [Signature]
MAYOR

10/3/2017
DATE

I HEREBY APPROVE THE WITHIN INSTRUMENT AS TO LEGAL FORM AND CORRECTNESS

[Signature]
DIRECTOR OF LAW

CERTIFICATE

Michelle Blazak, Clerk of Council, of the City of Brook Park, Ohio, do hereby certify that the foregoing is a true and accurate copy of Ordinance/Resolution No. 24-2017 passed on the 3RD day of OCTOBER 2017 by said council.
Michelle Blazak
Clerk of Council

I, Michelle Blazak, Clerk of Council for the City of Brook Park, State of Ohio, do hereby certify that there is no newspaper of general circulation in the municipality and that publication of the foregoing ordinances/resolutions was made by posting true copies at six of the most public places in said municipality as determined by Ordinance No. 4838-1975; Location City Hall, 6161 Engle Road, Police Station 17401 Holland Road, #1 Fire Station 5590 Smith Road, #2 Fire Station 22500 Ruple Parkway, #3 Fire Station 17401 Holland Road, Brook Park Library 6165 Engle Road, for a period of fifteen days.
commencing October 5, 2017
Michelle Blazak
MICHELLE BLAZAK
Clerk of Council

	Yea	Nay
Troyer	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mencini	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Powers	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Scott	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Burgio	<input checked="" type="checkbox"/>	<input type="checkbox"/>
McDonnell	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Salvatore	<input checked="" type="checkbox"/>	<input type="checkbox"/>

CITY OF BROOK PARK, OHIO

Resolution No. _____

Introduced By: COUNCIL AS A WHOLE

A RESOLUTION
GRANTING A CONDITIONAL USE PERMIT TO
MAINTAIN A TWO-FAMILY DWELLING AT
5774 SMITH ROAD, LOCATED IN A U5-A ZONE,
AND DECLARING AN EMERGENCY

WHEREAS, Efren and Janet Vega filed an application for a conditional use permit with the Brook Park Planning Commission; and

WHEREAS, the conditional use requested is to maintain a two family dwelling at 5774 Smith Road located in the U5-A Zone; and

WHEREAS, the request for a conditional use permit was presented at a public hearing on January 8, 2018 before the Brook Park Planning Commission, which referred this matter to Council for approval and recommended the waiver of requirements set forth in Section 1121.36(c) of the Brook Park Codified Ordinances; and

NOW THEREFORE BE IT RESOLVED, by the Council of the City of Brook Park, State of Ohio that:

SECTION 1: The Council of the City of Brook Park finds that the proposed conditional use permit requested is appropriate in the location for which it is proposed and hereby grants the conditional use permit for a two-family dwelling at 5774 Smith Road.

SECTION 2: It is found and determined that all formal actions of this Council concerning and relating to this Resolution 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 actions 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 immediately necessary for the preservation of the public peace, health, safety and welfare of said City, and for the further purpose of granting a conditional use permit to maintain a two family dwelling; therefore provided this Resolution receives the

affirmative vote of at least five (5) members elected to Council, it shall take effect and begin force immediately upon its passage and approval by the Mayor; otherwise, from and after the earliest period allowed by law.

PASSED: _____

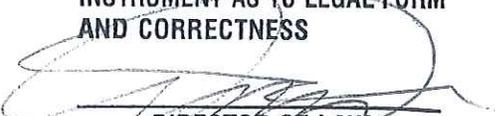
PRESIDENT OF COUNCIL

ATTEST: _____
Clerk of Council

APPROVED: _____
MAYOR

DATE

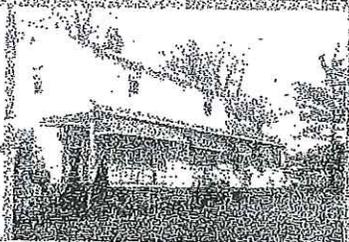
I HEREBY APPROVE THE WITHIN
INSTRUMENT AS TO LEGAL FORM
AND CORRECTNESS



DIRECTOR OF LAW

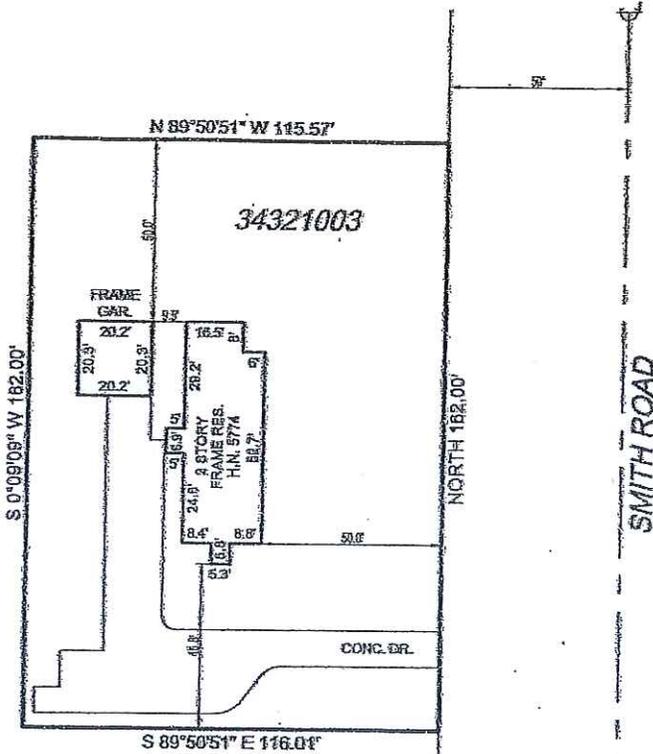
**OHIO
REALTITLE**

5774 Smith Road



PROPERTY ADDRESS: 5774 SMITH ROAD BROOK PARK, OHIO-44142

SURVEY NUMBER: 242432

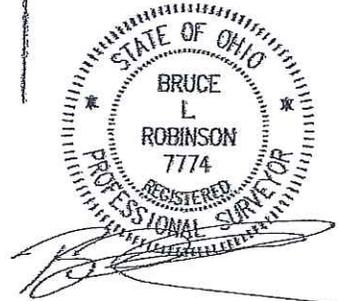


ACKNOWLEDGED & ACCEPTED

BY: _____

BY: _____

DATE



THIS SEAL EXPIRES 12/31/2017



SCALE: 1" = 40'

Exact: 242432/AL

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CLIENT NUMBER: 68186 DATE: 3/7/2017

BUYER: ELFREN L. VEGA

SELLER: ANJANA KATARIA SINGH AND JASBIR SINGH

SUBLOT / ORIGINAL LOT: PART OF LOT NO. 3 SECTION 30

SUBDIVISION: MIDDLEBURG TOWNSHIP

PLAT: _____ PG: _____ COUNTY: CUYAHOGA

CERTIFIED TO: OHIO REAL TITLE AGENCY, LLC (CLEY) & FIRST NATIONAL BANK

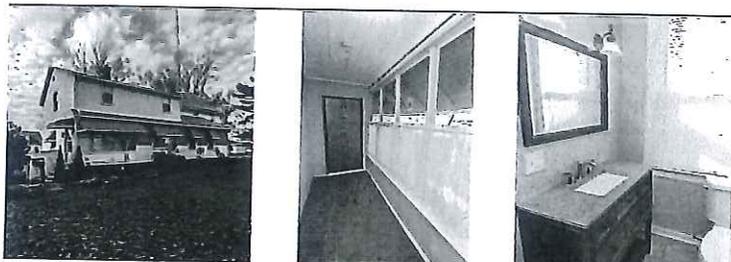
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o: 216-839-5500
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5 bedrooms 3 baths



2 kitchens