

P/C _____
Cau 2/21/17 _____
1st R 2/21/17 _____
2nd R _____
3rd R _____
B/C _____

CITY OF BROOK PARK, OHIO

Resolution No. 3-2017

Introduced By: COUNCIL AS A WHOLE

A RESOLUTION
GRANTING A CONDITIONAL USE PERMIT TO
OPERATE LUXURY MOTORS AT
13501 BROOKPARK ROAD IN A U7-D DISTRICT,
AND DECLARING AN EMERGENCY

WHEREAS, Luxury Motors has filed an application for a conditional use permit with the Brook Park Planning Commission; and

WHEREAS, the conditional use requested is to permit Luxury Motors to operate a used car sales facility at 13501 Brookpark Road in a U7-D District; and

WHEREAS, the request for a conditional use permit was presented at a public hearing on February 6, 2017, to the Brook Park Planning Commission, which referred this matter to Council with certain conditions 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 grants a conditional use permit to operate Luxury Motors at 13501 Brookpark Road.

SECTION 2: The granting of said conditional use permit is subject to the following conditions:

1. The number of cars located on the property for inventory will be limited to the number of available spots delineated for use on the lot; currently 26.
2. Owner(s) agree to remove the steel ballards and install black aluminum fencing along the property as follows: North property line fencing to be installed within 30 days. East property line fence to be installed within 6 months.

SECTION 3: 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 4: 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 operate a used car sales facility in a U7-D district; therefore, provided that 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: February 21, 2017

Jim Astory
PRESIDENT OF COUNCIL

ATTEST: Michelle Blazak
Clerk of Council

APPROVED: [Signature]
MAYOR
2/22/17
DATE

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

[Signature]
DIRECTOR OF LAW

	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"/>
McCormick	<input type="checkbox"/>	<input type="checkbox"/>
Salvatore	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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. 3-2017

passed on the 21st day of February 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 616 1/2 Engle Road, Police Station 17401 Holland Road, #1 Fire Station 5596 Smith Road, #2 Fire Station 22530 Rupp Parkers, #3 Fire Station 17401 Holland Road, Brook Park Library 6165 Engle Road, for a period of fifteen days.

commencing February 22 2017
Michelle Blazak
MICHELLE BLAZAK
Clerk of Council