

CITY OF BROOK PARK, OHIO

P/C
CA PR102-9-17-19
1st R 10-1-19
2nd R _____
3rd R _____
S/C _____

Resolution No. 30-2019

Introduced By: COUNCIL AS A WHOLE

A RESOLUTION
GRANTING A CONDITIONAL USE PERMIT AT
16079 BROOKPARK ROAD LOCATED IN THE U7-B DISTRICT
TO OPERATE AN AUTOMOBILE CUSTOMIZATION FACILITY
AND DECLARING AN EMERGENCY

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

WHEREAS, the conditional use requested is to operate an automobile customization facility located in the U7-B District at Road Quake; and

WHEREAS, the request for a conditional use permit was presented at a public hearing on September 9, 2019 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. Purchase of the property by the Applicant to be completed.
- B. Asphalt parking area to be properly repaired, re-surfaced and striped.
- C. 42" black ornamental fencing to be installed along frontage (Final landscape & fence details to be established between the Applicant and Building Commissioner due to line of site concern).
- D. Compliance with these conditions to be met within six (6) months of property transfer.

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 in a U7-B District to operate an automobile customization facility; 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 1, 2019 M.P. Keenly
PRESIDENT OF COUNCIL

ATTEST: Michelle Blazak APPROVED: [Signature]
Clerk of Council MAYOR

10/1/19
DATE

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. 30-2019 passed on the 1st day of October 2019 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 22530 Ruple Parkway, #3 Fire Station 17401 Holland Road, Brook Park Library, 6165 Engle Road, for a period of fifteen days, commencing October 2, 2019

Michelle Blazak
MICHELLE BLAZAK
Clerk of Council

	Yea	Nay
Stemm	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mencini	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Orcutt	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Scott	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Burgio	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Poindexter	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Salvatore	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

[Signature]
DIRECTOR OF LAW