

P/C \_\_\_\_\_  
CA 1-23-18  
1st R 1-23-18 SPECIAL COUNCIL AGEND  
2nd R \_\_\_\_\_  
3rd R \_\_\_\_\_  
P/C \_\_\_\_\_

CITY OF BROOK PARK, OHIO

Resolution No. 4-2018

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, which will revert back to a single family use once the original family members (tenants) vacate the premises.

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 be in force immediately upon its passage and approval by the Mayor; otherwise, from and after the earliest period allowed by law.

PASSED: January 23, 2018  
SA. Council

Michael Menchi  
PRESIDENT OF COUNCIL

ATTEST: Michelle Blazak  
Clerk of Council

APPROVED: [Signature]  
MAYOR

1/23/18  
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. 4-2018  
passed on the 23rd day of January  
20 18 by said council.

Michelle Blazak  
Clerk of Council

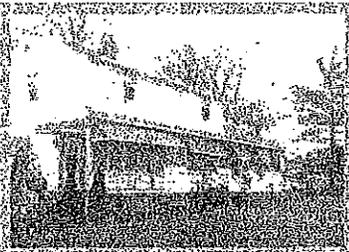
I, Michelle Blazak, Clerk of Council for the City of Brook Park, State of Ohio, do hereby certify that there is no newspaper of general circulation in the municipality and that publication of the foregoing ordinances/resolutions was made by posting true copies at six of the most public places in said 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 January 23, 2018  
Michelle Blazak  
MICHELLE BLAZAK  
Clerk of Council

	Yea	Nay
Stemm	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Menchi	<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"/>

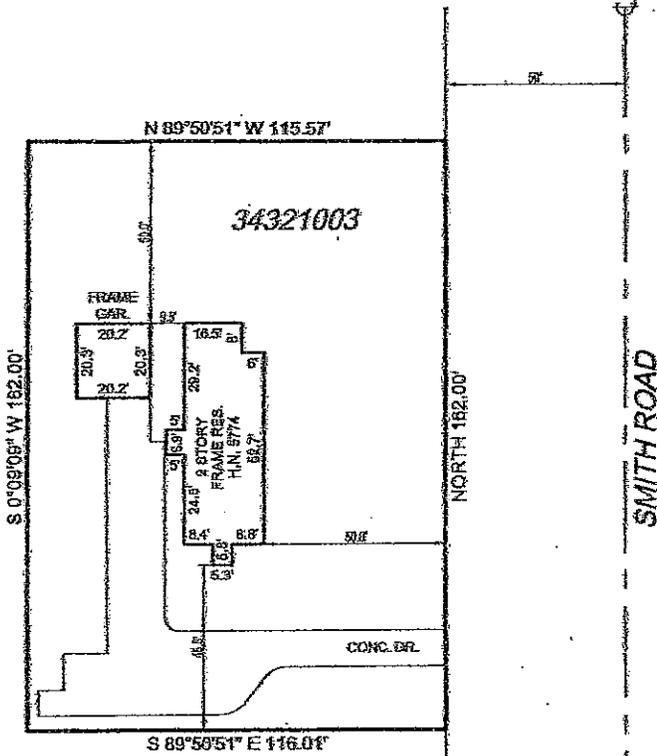
**OHIO  
REALTITLE**

5774 Smith Road



PROPERTY ADDRESS: 5774 SMITH ROAD BROOK PARK, OHIO 44142

SURVEY NUMBER: 242432



Copyright by Residential Survey Company LLC, this document is made exclusively for the certified parties and may not be copied, reproduced or altered in any form without permission in writing from the copyright owner.

**ACKNOWLEDGED & ACCEPTED**

BY: \_\_\_\_\_

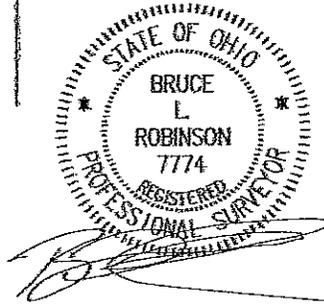
BY: \_\_\_\_\_

DATE



SCALE: 1" = 40'

Block: 242432A1



CLIENT NUMBER: 68188 DATE: 3/7/2017

BUYER: ELEREN L VEGA

SELLER: ANJANA KATARIA SINGH AND JASR SINGH

SUBLOT / ORIGINAL LOT: PART OF LOT NO. 3 SECTION 10

SUBDIVISION: MIDDLEBURG TOWNSHIP

PLAT: PG: COUNTY: CUYAHOGA

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

DO NOT USE THIS MORTGAGE LOAN IDENTIFICATION SURVEY FOR THE INSTALLATION OR BUILDING OF FENCES, SHEDS, GARAGES, ADDITIONS OR ANY OTHER STRUCTURE. THIS MORTGAGE LOCATION SURVEY HAS BEEN PERFORMED IN ACCORDANCE WITH 4733-38 OF THE OHIO ADMINISTRATIVE CODE AND IS NOT A BOUNDARY SURVEY PURSUANT TO CHAPTER 4733-32 OF THE ADMINISTRATIVE CODE. COPYRIGHTED BY EXACTA LAND SURVEYING. THE INFORMATION ON THIS DOCUMENT MAY NOT BE COPIED OR REPRODUCED IN ANY FORM WITHOUT PERMISSION IN WRITING FROM THE COPYRIGHT OWNER.



**Andrew Ginter**

cell: 440-781-8737  
 or: 216-839-5500  
[www.andrewginteryourwagent.com](http://www.andrewginteryourwagent.com)



THIS SURVEY WAS MADE FROM AERIAL PHOTOGRAPHS AND FIELD NOTES. THE PROPERTY LINES AND STRUCTURES ARE LOCATED ON THE BASIS OF THE INFORMATION PROVIDED TO THE SURVEYOR. THE SURVEYOR HAS CONDUCTED A VISUAL INSPECTION OF THE PROPERTY AND HAS FOUND NO EVIDENCE OF UNLAWFUL ENCROACHMENTS OR VIOLATIONS OF ANY APPLICABLE ORDINANCES. THE SURVEYOR HAS CONDUCTED A VISUAL INSPECTION OF THE PROPERTY AND HAS FOUND NO EVIDENCE OF UNLAWFUL ENCROACHMENTS OR VIOLATIONS OF ANY APPLICABLE ORDINANCES.