

**CITY OF TWINSBURG, OHIO**

**ORDINANCE 03-2009**

AN ORDINANCE REZONING CERTAIN PROPERTY LOCATED ON LIBERTY ROAD, TWINSBURG, OHIO, COMMONLY KNOWN AS "ABRAM'S FARM", FROM TWINSBURG TOWNSHIP ZONING DESIGNATION TO CITY OF TWINSBURG RESIDENTIAL R-3 USE

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**WHEREAS**, the 81.715 acres of land (the "Property") located off of Liberty Road South of Post Road was annexed into the City in 1997 from Twinsburg Township; and

**WHEREAS**, the Property was the subject of litigation wherein the Court determined that although the annexation procedure was appropriate, the City must first obtain approval from the electorate prior to placing the City's appropriate zoning designation on the Property; and

**WHEREAS**, the issue to rezone said Property was reviewed and favorably recommended by the Planning Commission on January 5, 2009; and

**WHEREAS**, Section 7A.01 of the Charter of the City of Twinsburg provides any change in zoning classifications or districts must be approved by a majority vote of all votes cast of the qualified electors of the City of Twinsburg and of each ward in which the property so changed is located.

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the City of Twinsburg, County of Summit and State of Ohio:

**SECTION I:** That certain real property comprising approximately 81.715 acres located off of Liberty Road (further identified by the legal description attached hereto and incorporated herein as "Exhibit A") in the City of Twinsburg be and the same is hereby reclassified from the present Twinsburg Township zoning designation to Residential R-3.

**SECTION II:** That in accordance with Section 7A.01 of the Charter of the City of Twinsburg Council finds that it is necessary and appropriate to submit the above described zoning reclassification to the electors of the City of Twinsburg.

**SECTION III:** It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were taken in open meeting or meetings of this Council, and that all deliberations of this Council were in meetings open to the public and in full compliance with all legal requirements, including without limitations, those set forth in Section 121.22 of the Ohio Revised Code.

**SECTION IV:** That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

PASSED: \_\_\_\_\_

APPROVED: \_\_\_\_\_

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Steve Murphy, President of Council

Submitted to the Mayor for approval this

\_\_\_\_\_ day of \_\_\_\_\_, 2009

Approved by the Mayor \_\_\_\_\_, 2009

\_\_\_\_\_  
Katherine A. Procop, Mayor

ATTEST:

\_\_\_\_\_  
Marie K. Weaver  
Clerk of Council

1<sup>st</sup> Rdg. \_\_\_\_\_

2<sup>nd</sup> Rdg. \_\_\_\_\_

3<sup>rd</sup> Rdg. \_\_\_\_\_

Passed: \_\_\_\_\_

Yes \_\_\_\_\_ No \_\_\_\_\_

**CERTIFICATE OF POSTING**

I, Marie K. Weaver, Clerk of Council, of the City of Twinsburg, State of Ohio, do hereby certify that publication of the foregoing ordinances, resolutions was duly made by posting true copies thereof at five of the most public places in said City as determined by Section 113.02 of the Codified Ordinances of the City of Twinsburg; each for a period of fifteen days commencing on the \_\_\_\_\_ day of \_\_\_\_\_, 2009.

\_\_\_\_\_  
Marie K. Weaver  
Clerk of Council  
City of Twinsburg

PROPOSED

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