

CITY OF TWINSBURG, OHIO

ORDINANCE 04-2009

AN ORDINANCE REZONING CERTAIN PROPERTY LOCATED AT 10073 LIBERTY ROAD, TWINSBURG, OHIO (PARCEL No. 64-08648), COMMONLY KNOWN AS THE "SHELLER" PROPERTY, FROM TWINSBURG TOWNSHIP ZONING DESIGNATION TO CITY OF TWINSBURG RESIDENTIAL R-3 USE

WHEREAS, the 15.00 acres of land (the "Property") located at the corner of Darrow and Old Mill Roads was annexed into the City in 2002 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 15.00 acres at 10073 Liberty Road (further identified as Permanent Parcel No. 64-08648) 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: _____

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

1st Rdg. _____

2nd Rdg. _____

3rd 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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