



**CITY OF WESTLAKE, OHIO
ORDINANCE NO. 2015-47:**

AN ORDINANCE PROVIDING FOR THE AMENDMENT OF THE ZONE MAP OF THE CITY OF WESTLAKE, WHICH ZONE MAP IS PART OF THE ZONING CODE OF THE CITY OF WESTLAKE, BY CHANGING THE ZONING OF CERTAIN LAND LOCATED BETWEEN CENTER RIDGE AND WESTWOOD ROADS, FROM R-MF-40 DISTRICT AND GENERAL BUSINESS DISTRICT TO R-MF-24 DISTRICT.

WHEREAS, Donna Anderson, representative of Schneider's Mobile Homes, LLC, has submitted an application to the City of Westlake to amend the Zone Map by requesting that Council rezone the land located between Center Ridge Road and Westwood Road being all of Permanent Parcel Nos. 215-01-011, 215-01-013, 215-01-014, 215-01-015 and 215-01-029 from General Business District and R-MF-40 District to R-MF-24 District; and

WHEREAS, it appears that the zoning that applies to the real property described in the legal description attached hereto is improper under the conditions presently existing and inadequate for the development and use of this land; and

WHEREAS, after careful consideration, the Planning Commission of the City, on the day of June 1, 2015, recommended approval of the change of the Districts herein specified as requested by this Council; and

WHEREAS, Council desires to have said land rezoned as set forth herein.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WESTLAKE, COUNTY OF CUYAHOGA AND STATE OF OHIO:

Section 1: That after submission of this Ordinance to the Planning Commission of this City for its opinion and recommendations, and after a Public Hearing hereon, notice of which has been given pursuant to Section 13 of Article III of the Charter of this City entitled "The Council - Enactment of Zoning Ordinances," and after its passage pursuant to the Charter of this City and its approval by the Mayor of the City of Westlake, the Zone Map of Westlake is hereby amended and as amended shall be and the same is hereby revised by changing the zoning of certain land known as Permanent Parcel Nos. 215-01-011, 215-01-013, 215-01-014, 215-01-015 and 215-01-029 from R-MF-40 District and General Business District to R-MF-24 District which land is more fully described in Exhibit "A" attached hereto and made a part hereof.

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Section 2: That the Clerk of Council be and she hereby is directed to cause a notice of Public Hearing hereon to be given pursuant to the provisions of Section 13 of Article III of the Charter of the City.

Section 3: That the Director of Engineering be and he hereby is directed to amend said Zone Map of Westlake so that when amended said Zone Map will disclose that the premises described in Section 1 hereof shall be revised by changing the zoning of certain described land from R-MF-40 District and General Business District to R-MF-24 District and that said portion of parcel of land may thereafter be used in accordance with the use of the District permitted by the Zoning Code of the City of Westlake.

Section 4: That it is found and determined that all formal actions of this Council concerning and relating to this legislation 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 action were in meetings open to the public in compliance with all legal requirements including Section 10, Article XI of the Charter of the City of Westlake and Section 121.22 of the Ohio Revised Code.

Section 5: That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

First Reading: 4/2/15

Referred to Planning Commission: 4/2/15

Report of Planning Commission on: 6/1/15

The Planning Commission recommended to Council that this Ordinance be:

Approved: X Disapproved:

Second Reading: 6/4/15

Public Hearing: 6/18/15


Passed: 6/18/15

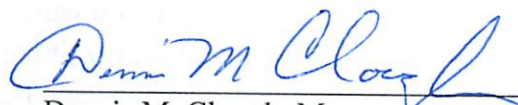

Michael F. Killeen
President of Council

Presented to Mayor: 6/19/15

Approved: 6/24/15

ATTEST:


Denise L. Rosenbaum, Clerk of Council


Dennis M. Clough, Mayor

I, Denise L. Rosenbaum, Clerk of Council of the City of Westlake do hereby certify that Ordinance/Resolution no. 2015-47 adopted 6/18/15 was duly posted on 6/24/15 and remained posted for a period of 15 days thereafter in not less than 2 of the most public places in the City as determined by the Charter of said City.



215-01-011

EXHIBIT "A"

Parcel No. 1

Situated in the City of Westlake, County of Cuyahoga and State of Ohio and known as being part of Original Dover Township Lot No. 46 and bounded and described as follows:

Beginning at an iron pin, marking an angle point in the centerline of Center Ridge Road, which point is 196.10 feet Southwesterly measured along said centerline from the intersection thereof with the Westerly line of land conveyed to Ann M. Schneider by deed recorded in Volume 2587, Page 598 of Cuyahoga County Records;

Thence Northeasterly, along said centerline, 109.80 feet to a drilled hole;

Thence Southeasterly, at right angles with the said centerline, 144.96 feet to a stake;

Thence Southwesterly, 235.35 feet to a stake, which stake is distant 131.06 feet from the centerline of Center Ridge Road;

Thence Northwesterly at right angles to said centerline, 131.06 feet to a drilled hole;

Thence Northeasterly and at right angles to the last course described herein and along the centerline of Center Ridge Road, 129.57 feet to the place of beginning, according to survey dated April 1946 by A.P. Bardsley, Surveyor.

Parcel No. 2

Situated in the City of Westlake, County of Cuyahoga and State of Ohio and known as being part of Original Dover Township Lot No. 46 and bounded and described as follows:

Beginning at a point in the centerline of Center Ridge Road, at the Northwesterly corner of land conveyed to Pasquale Coreno and Josephine Coreno by deed dated July 20, 1949 and recorded in Volume 6817, Page 635 of Cuyahoga County Records;

Thence Southerly, along the Westerly line of land so conveyed, 131.06 feet to the Southwesterly corner thereof;

Thence Westerly, along the Westerly prolongation of the Southerly line of land so conveyed a distance of 100.27 feet;

Thence Northerly, parallel with the first course described herein, a distance of 123.67 feet to a point in the centerline of Center Ridge Road;

Thence Easterly, along said centerline a distance of 100 feet to the place of beginning.

LEGAL DESCRIPTION FOR 26741 CENTER RIDGE ROAD, WESTLAKE, OH

215-01-013 and 014

Situated in the City of Westlake, Ohio, County of Cuyahoga and State of Ohio and known as being part of Original Dover Township Lot No. 46 and bounded and described as follows:

Beginning in the Southeasterly line of Center Ridge Road, 60 feet wide, at the intersection of the parcel of land conveyed to Khadra, Inc. by Deed dated November 29, 1994 and recorded in Volume 94-11185, Page 28 of Cuyahoga County Records and that of the parcel of land conveyed to Pasquale Coreno and Josephine Coreno, by Deed dated April 23, 1949 and recorded in Volume 6817, Page 635, of Cuyahoga County Records;

Thence South $26^{\circ} 33' 22''$ East, along said Northeasterly line of land conveyed to Pasquale Coreno and Josephine Coreno, 144.96 feet to the most Easterly corner thereof;

Thence South $65^{\circ} 49' 45''$ West, along the Southeasterly line of said land conveyed to Pasquale Coreno and Josephine Coreno, 112 feet, to the point of beginning;

Thence South $26^{\circ} 03' 45''$ East, 128.41 feet;

Thence North $64^{\circ} 13' 59''$ East, 18.79 feet;

Thence North $16^{\circ} 36' 49''$ East, 17.95 feet;

Thence North $64^{\circ} 13' 59''$ East, 135.06 feet;

Thence South $62^{\circ} 21' 01''$ East, 13.60 feet;

Thence South $11^{\circ} 17' 09''$ East, 181.93 feet to the Northerly line of said land conveyed to Nicholas J Hoty and Kathleen L. Hoty by Deed dated January 22, 1980 and recorded in Volume 15229, Page 597 of Cuyahoga County Records;

Thence South $66^{\circ} 19' 10''$ West along said Northerly line of land conveyed to Nicholas J Hoty and Kathleen L. Hoty, 19.81 feet to the most Northwesterly corner thereof, at an iron pin at the Southwesterly corner of land conveyed to John E. Schneider and Anna M. Schneider by Deed dated March 10, 1927 and recorded in Volume 3478, Page 394 of Cuyahoga County Records;

Thence South $02^{\circ} 55' 20''$ West along the Westerly line of land conveyed to Nicholas J. Hoty and Kathleen L. Hoty, 199.07 feet to the Northeasterly corner of land conveyed to Ali M. Hamdan by Deed dated August 1, 1990 and recorded in Volume 90-4572, Page 46 of Cuyahoga County Records;

Thence Southwesterly 136.99 feet along the Northerly line of land conveyed to Ali M. Hamdan, also described as Sublot No. 1 in a subdivision of part of Original Dover Township Lot No. 46, prepared for Clark D. Schneider and Dorothy R. Schneider, as shown by the recorded plat in Volume 181 of Maps, Page 74 of Cuyahoga County Records;

Thence Southerly 98.93 along the Westerly line of said Sublot No. 1 to the Northerly line of Westwood Road, 60 feet wide, as shown by the plat of Dedication of Westwood Road, recorded in Volume 111 of Maps, Page 27 of Cuyahoga County Records;

Thence South $88^{\circ} 34' 30''$ West along the Northerly line of Westwood Road, to the iron pin set in the Northerly line of Westwood Road at the Westerly line of land conveyed to Clark D. Schneider and Eleanore L. Schneider by Deed dated Sept. 12, 1951 and recorded in Volume 7417, Page 678 of Cuyahoga County Records;

Thence Northerly 100.45 feet to an iron pipe;

Thence Northerly 49.55 feet to the Northeasterly corner of land so conveyed;

Thence Westerly 100 feet along the Northerly line of land so conveyed to an iron pipe, to the Northeasterly corner thereof;

Thence Southerly 150 feet along the Westerly line of land so conveyed, to an iron pipe in the Northerly line of Westwood Road;

Thence South $86^{\circ} 17' 55''$ West along the Northerly line of Westwood Road, to the Westerly line of land conveyed to Clark A. & Dorothy R. Schneider, by Deed dated July 16, 1945 and recorded in Volume 6268 of Deeds, Page 464 of Cuyahoga County Records;

Thence North $7^{\circ} 00' 58''$ East, along the easterly line of land conveyed to Clark A. & Dorothy R. Schneider, a distance of 489.88 feet to the Southerly line of Center Ridge Road, 60 feet wide;

Thence North $61^{\circ} 35' 48''$ East, along said southerly line of Center Ridge Road, 60 feet wide, a distance of 60 feet to the Westerly corner of land conveyed to Pasquale Coreno and Josephine Coreno, by Deeds dated April 23, 1949 and recorded in Volume 6817, Page 635 and on March 21, 1950 and recorded in Volume 7004, Page 569 of Cuyahoga County Records;

Thence Southeasterly, along said Southwesterly line of land conveyed to Pasquale Coreno and Josephine Coreno, 123.67 feet to the most Westerly corner thereof;

Thence North $65^{\circ} 49' 45''$ East, along the Southwesterly line of said land conveyed to Pasquale Coreno and Josephine Coreno, 223.62 to the point of beginning, be the same more or less, but subject to all legal highways.

BAUER SURVEYS COMPANY

PROFESSIONAL LAND SURVEYORS

750 ALPHA DRIVE, SUITE B
CLEVELAND, OHIO 44143

WESTWOOD ROAD - PARCEL 3

215-01-015

Situated in the City of Westlake, County of Cuyahoga and State of Ohio and known as being part of Original Dover Township Lot No. 46 and more particularly bounded and described as follows:

Beginning in the southerly line of Center Ridge Road, 60 feet wide, at the northeasterly corner of land conveyed to State Farm Mutual Automobile Insurance Co. by deed recorded in Volume 15243 of Deeds, Page 521 of Official Records of Cuyahoga County, marked by a 5/8" iron pin with cap marked "PLS 4432".

- Course No. 1: Thence North 61°35'48" East, along said southerly line of Center Ridge Road, 60 feet wide, a distance of 157.27 feet to the northeast corner of Parcel 1 of land conveyed to Clark A. & Dorothy R. Schneider, by deed recorded in Volume 6268 of Deeds, Page 464 of Cuyahoga County Records.
- Course No. 2: Thence South 7°00'58" East, along the easterly line of said Parcel 1, a distance of 489.88 feet to the northerly line of Westwood Road, 60 feet wide, as shown by the plat of Dedication of Westwood Road, recorded in Volume 111 of Maps, Page 27 of Cuyahoga County Records.
- Course No. 3: Thence South 86°17'55" West, along said northerly line of Westwood Road, a distance of 56.97 feet to the southeast corner of said land conveyed to State Farm Mutual Insurance Co., as aforesaid.
- Course No. 4: Thence North 7°13'30" East, along an easterly line of said land so conveyed to State Farm Mutual Insurance Co., a distance of 25.38 feet to an angle therein.
- Course No. 5: Thence North 8°20'00" West, continuing along said easterly line, a distance of 170.03 feet to an angle therein.
- Course No. 6: Thence North 28°24'12" West, continuing along said easterly line, a distance of 252.00 feet to the place of beginning of the land herein described and containing 0.8755 Acres of land according to a survey made by Bauer Surveys Company dated July 6, 1995 per A. Thomas Powers, Registered Professional Land Surveyor No. 4432.

P-70035
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7/13/95

Parcel 15

LEGAL DESCRIPTION FOR 26742 Westwood Road

215-01-029

Situated in the Village of Westlake, County of Cuyahoga and State of Ohio and known as being a part of Original Dover Twp. Lot #46.

Beginning at a point in the Centerline of Westwood Road, which point bears due east - 428.26 ft. from an iron monument which marks the point of tangency of the curve in said center line, which curve originates in the Southerly line of Center Ridge Road.

Thence East along said center line 100.00 feet.

Thence due North – 30.00 ft. to an iron pipe set in the northerly line of Westwood Road

Thence continuing North 100.45 ft. to an iron pipe.

Thence continuing North 49.55 ft. to a point.

Thence West 100.00 ft. to an iron pipe.

Thence South 150.00 ft. to an iron pipe in the Northerly line of Westwood Rd.

Thence continuing South 30.00 ft. to the place of beginning.