

FIRST READING: 10.9.23
SECOND READING: 11.27.23
THIRD READING: 12.18.23

ORDINANCE NO. 81-23
BY: JEANNE GALLAGHER

AN ORDINANCE TO CHANGE THE ZONING CLASSIFICATION OF CERTAIN REAL PROPERTIES KNOWN AS AUDITOR'S PERMANENT PARCEL NO. 301-18-083 FROM ITS PRESENT CLASSIFICATION OF OB-2 OFFICE TO LB LOCAL BUSINESS, AS FURTHER DESCRIBED IN EXHIBIT "A"

WHEREAS: JRW/RR LLC is the owner of certain real property known as Auditor's Permanent Parcel No. 301-18-083, located at 19340 Detroit Road in Rocky River, OH and is an applicant for rezoning this real property from OB-2-Office to LB Local Business; and

WHEREAS: the legal description for the affected real property parcel identified as PPN 301-18-083, as described in Exhibit A attached; and

WHEREAS: this Ordinance was recommended by the Planning Commission of the City of Rocky River for approval on October 9, 2023, 2023; and

WHEREAS: notice of a Public Hearing before City Council on the aforesaid zoning change has been duly given on the proposed change herein set forth; and

WHEREAS: in accordance with said Notice, a Public Hearing was held according to law on December 18th, 2023; and

WHEREAS: this Council deems it necessary for the best interest of public peace, health and safety, to change the zoning district classification of this real property parcel identified herein above from OB-2-Office to LB Local Business.

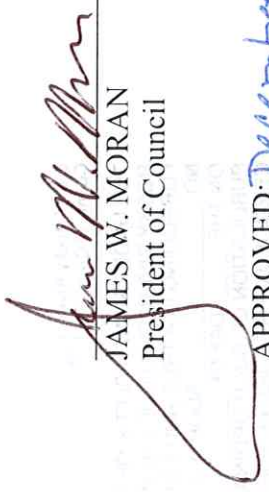
NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ROCKY RIVER, COUNTY OF CUYAHOGA, STATE OF OHIO:

SECTION 1. - Permanent Parcel No. 301-18-083 is hereby changed from OB-2-Office, as further identified in Exhibit A, to LB Local Business zoning classification.

SECTION 2. - That the map entitled "Zoning Map" of the City of Rocky River, adopted by Ordinance No. 60-73 on July 23, 1973, as subsequently amended, be and the same is hereby further amended by changing the zoning district classification of the real properties known as Permanent Parcel No. 301-18-083 further identified in Exhibit A attached hereto, from OB-2-Office to LB Local Business.

SECTION 3. - That the Building Commissioner of the City of Rocky River be and is hereby authorized and directed to make said change in this zoning district classification on the Zoning Map of the City of Rocky River, Ohio, as provided for herein.

APPROVED: December 18th, 2023


JAMES W. MORAN
President of Council

PRESENTED TO
MAYOR: December 18th, 2023

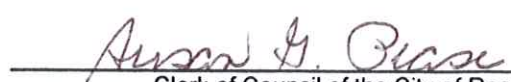
APPROVED: December 18th, 2023

TEST:


SUSAN G. PEASE
Clerk of Council


PAMELA E. BOBST
Mayor

I, the undersigned clerk of council of the City of Rocky River, State of Ohio, do hereby certify that publication of the foregoing ordinance was duly made by posting a true copy thereof in the lobby of the Rocky River City Hall, in accordance with the charter of Rocky River, commencing on the 18th day of December, 20 23.


Clerk of Council of the City of Rocky River, Ohio

City of Rocky River } ss
County of Cuyahoga }

THE UNDERSIGNED CLERK OF THE COUNCIL OF THE CITY OF
ROCKY RIVER, OHIO DOES HEREBY CERTIFY THAT THE
FOREGOING IS A TRUE AND CORRECT COPY OF ORDINANCE
NO. 81-23 ADOPTED BY THE COUNCIL OF SAID CITY
ON THE 18th DAY OF December 20 23 THAT THE
PUBLICATION OF SUCH ORDINANCE HAS BEEN MADE AND
CERTIFIED OF RECORD ACCORDING TO LAW; THAT NO
PROCEEDINGS LOOKING TO A REFERENDUM UPON SUCH
ORDINANCE HAVE BEEN TAKEN; THAT SUCH ORDINANCE AND
THE CERTIFICATE OF PUBLICATION THEREOF, ARE OF RECORD
IN ORDINANCE RECORD NO. 81-23

IN WITNESS WHEREOF, I HAVE HEREUNTO SUBSCRIBED
MY NAME AND AFFIXED MY OFFICIAL SEAL THIS 18th DAY OF
December, 20 23

Anne H. Blase
CLERK OF COUNCIL OF THE CITY OF ROCKY RIVER, OHIO

LEGAL DESCRIPTION

Situated in the City of Rocky River, County of Cuyahoga, and State of Ohio:

And known as being part of Original Rockport Township Section No. 24 and bounded and described as follows:

Beginning on the Northwestern line of Detroit Road (60 feet wide) at its intersection with the Southwesterly line of land conveyed to James W. Williams by deed dated January 24, 1881 and recorded in Volume 508, page 286 of Cuyahoga County Records;

Thence Northeasterly along the Northwestern line of Detroit Road 75.90 feet to the most Southerly corner of land conveyed to Lucius Dean by deed dated September 14, 1898 and recorded in Volume 698, Page 134 of Cuyahoga County Records;

Thence Northwesterly along the Southwesterly line of land so conveyed, 185.82 feet to a Southeasterly line of land conveyed to Helen Walton by deed dated June 14, 1904 and recorded in Volume 936, Page 244 of Cuyahoga County Records;

Thence Southwesterly along a Southeasterly line of land so conveyed, 76.21 feet to the Southwesterly line of land conveyed to James W. Williams as aforesaid;

Thence Southeasterly along the Southwesterly line of land so conveyed, about 13.43 feet to the most Easterly corner of land conveyed to. E.R. Taylor by deed dated December 28, 1942 and recorded in Volume 5612, Page 98 of Cuyahoga County Records;

Thence Southwesterly along the Southeasterly line of land so conveyed, about 82 feet to the Northeasterly line of Parsons Court;

Thence Southeasterly along the Northeasterly line of Parsons Court, 34.05 feet to the Northwesterly corner of land conveyed to Joseph B. Howarth and Betty Howarth by deed dated January 13, 1960 and recorded in Volume 9794, Page 333 of Cuyahoga County Records;

Thence Northeasterly along the Northwestern line of land so conveyed, 51.5 feet to the most Northerly corner thereof;

Thence Southeasterly along the Northeasterly line of land so conveyed, 0.30 feet to the Southeasterly line of land conveyed to Jane Lewis by deed dated October 22, 1949 and recorded in Volume 6855, Page 554 of Cuyahoga County Records;

Thence Northeasterly along the Southeasterly line of land so conveyed about 30.5 feet to the Southwesterly line of land conveyed to James W. Williams as aforesaid;

Thence Southeasterly along the Southwesterly line of land so conveyed, 160.29 feet to the place of beginning, be the same more or less, but subject to all legal highways.

Note: The above-described land is also known as Lot 1 (17,560 square feet or 0.403 acres of land) as set forth in the Jane Lewis Subdivision, filed for record August 31, 1976 in Volume 218 of Maps, page 29, of the Cuyahoga County Records.

PPN: 301-18-083 (including 301-18-035)

25 September 2023

Rocky River City Council
City of Rocky River
21012 Hilliard Blvd.
Rocky River Ohio 44116

RE: Rezoning Request For 19340 Detroit Rd.

Dear Council Member:

JRW/RR, LLC, is requesting 19340 Detroit Rd. permanent parcel # 301-18-083 be rezoned from OB-2 Office Building to LB-Local Business. Currently the parcel operates as a non-conforming retail use. JRW/RR, LLC, a subsidiary of WXZ Development Inc., currently owns the property and is investigating the feasibility of remodeling and/or redeveloping the parcel to allow for retail and service uses consistent with businesses found in LB zoning. Rezoning this parcel to LB-Local Business would be in keeping with the surrounding area zoning and allow for more area, setback and use requirements that are consistent with the businesses we are attempting to attract. LB zoning for this parcel would also be consistent with the City's Comprehensive Plan which seeks to promote a neighborhood scaled walkable commercial district along this portion of Detroit Rd.

Included with this narrative are the other submission requirements to begin the rezoning process.

Thank you for your consideration. I look forward to answering your questions regarding this request at the required public meetings.

Sincerely,



David Budge
Assistant Vice President
WXZ Development Inc.

Cc: Kate Straub, Planning and Zoning Coordinator

WXZ

Design. Develop. Manage.

M 440 801 1690
A 22720 Fairview Center Dr #150
Fairview Park, OH 44126

info@wxzinc.com

CITY OF ROCKY RIVER

REQUEST FOR ZONING CHANGE

Date: 9/13/23

Owner/ JRW/RR, LLC

Applicant: 19340 Detroit Road Phone No. (440) 801-1690

Address:

Property requested to be rezoned is described as follows: *(Show addresses and permanent parcel numbers and attach legal description (Exhibit "A"))*.

19340 Detroit Road. PPN: 301-18-083

Present Use:	<u>Retail</u>
Present Zoning:	<u>OB-2 Office Building</u>
Proposed Use:	<u>Retail Service</u>
Proposed Zoning:	<u>LB - Local Business</u>

How does this proposed rezoning relate to the Comprehensive Plan for the City of Rocky River?
(A copy of the Comprehensive Plan is available for your use in the Building Division Office.)

Rezoning to LB-Local Business helps to maintain a neighborhood scaled walkable commercial district in keeping with the comprehensive plan

Attached is a vicinity map showing property lines, streets, existing and proposed zoning (Exhibit "B"). Also attached is a list of the names and addresses of all owners of property within, abutting on, and directly across the street from the parcel or parcels to be rezoned. In addition the names and addresses of all owners of property which is contiguous to any of the aforesaid property which abuts on or is directly across the street from the parcel or parcels proposed to be rezoned (Exhibit "C").

\$500.00 Filing Fee _____ **Signature** 

Date Paid

Note: *This application is to be submitted to the Director of Community Development, after which it will be transmitted to the Law Department for preparation of an ordinance for the consideration of the City Council and recommendation of the Planning Commission.*

All documentation or other information shall be delivered to:

Director of Community Development
City of Rocky River
Building Department
21012 Hilliard Blvd.
Rocky River, Ohio 44116

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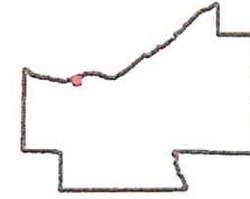
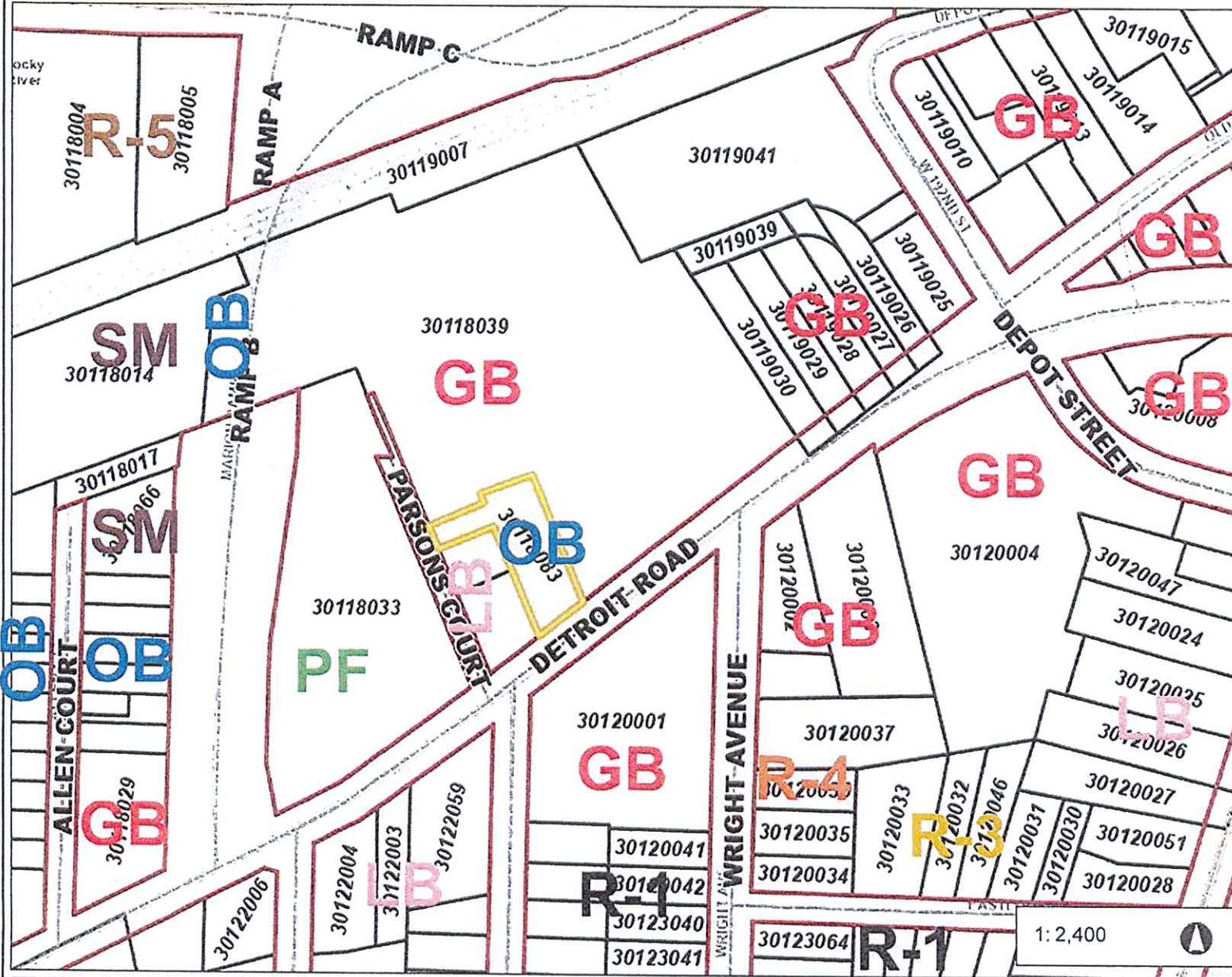
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PPN: 301-18-083 (including 301-18-035)

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Cuyahoga County GIS Viewer - Current



Date Created: 9/15/2023

Legend

- ☐ Municipalities
- ☐ Right Of Way
- ☐ Platted Centerline
- ☐ Parcel

Legend

Zoning Code

- ☐ R-1
- ☐ R-3
- ☐ R-4
- ☐ R-5
- ☐ OB
- ☐ LB
- ☐ GB
- ☐ SM
- ☐ PF

400 0 200 400 Feet

Projection:
WGS_1984_Web_Mercator_Auxiliary_Sphere

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

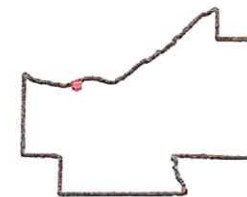
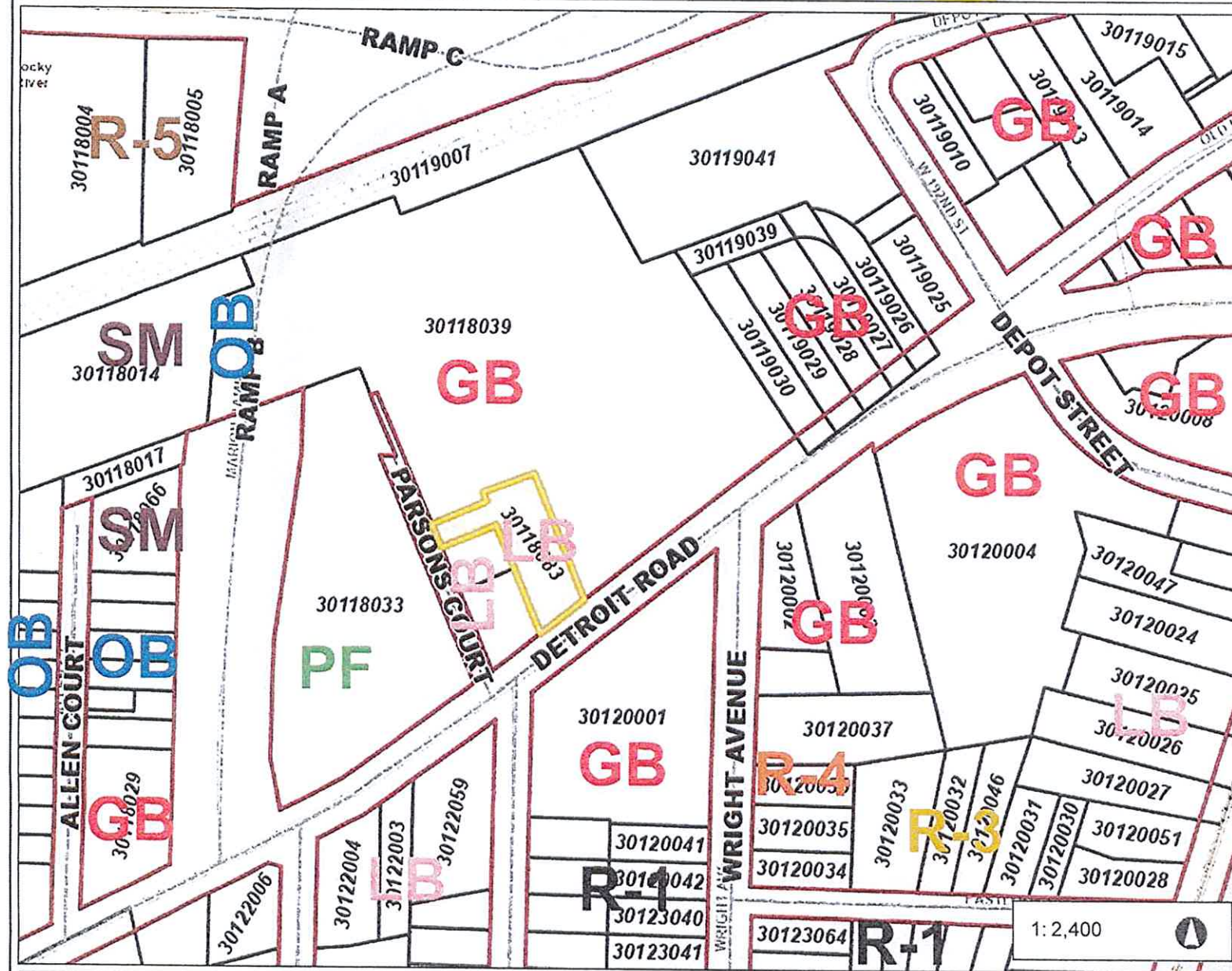
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Cuyahoga County
Enterprise GIS
PUTTING CUYAHOGA COUNTY ON THE MAP



Cuyahoga County GIS Viewer - Proposed



Date Created: 9/15/2023

Legend

- ☐ Municipalities
- ☐ Right Of Way
- ☐ Platted Centerline
- ☐ Parcel

Legend

Zoning Code

- ☐ R-1
- ☐ R-3
- ☐ R-4
- ☐ R-5
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Cuyahoga County
Enterprise GIS
PUTTING CUYAHOGA COUNTY ON THE MAP

SURVEYOR'S CERTIFICATION

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9340 DETROIT RD
SURVEY

40011601	Date	JUNE 9, 2023	Churn By	RLB	Churned By	ATM
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13 and 1443. Specimen First Read the second August 21, 1928 in Volume XII, page 28
note. Shows the characteristic purple and (PLATE DETAILS SHOW HERE)

14 and 1444. Specimen First Read the second August 21, 1928 in Volume XII, page 28
note. Shows the characteristic purple and (PLATE DETAILS SHOW HERE)

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