

CITY OF CLAYTON, OHIO

RESOLUTION NO. R – ZC – 16 – 06 (A)

A RESOLUTION APPROVING THE RECOMMENDATION OF THE PLANNING COMMISSION FOR A PLANNED DEVELOPMENT (PD-1) MODIFICATION FOR THE PROPERTY LOCATED AT 9971 RIDGE ACRES LANE (PARCEL ID M60 19106 0001) IN ORDER TO ACCOMPLISH A LOT SPLIT TO ALLOW FOR THE CONSTRUCTION OF A SINGLE FAMILY RESIDENCE

WHEREAS, an application for a Planned Development (PD-1) Modification was filed by Steven H. Spears for property located at 9971 Ridge Acres Lane (Parcel ID M60 19106 0001) requesting approval to split said lot in order to allow for the construction of a single family residence; and

WHEREAS, the Clayton Planning Commission held a public hearing on November 28, 2016, and unanimously voted to recommend to Clayton City Council approval of the requested parcel modification -- lot split - provided all setbacks are complied with and landscaping and building materials are similar to the surrounding homes and further conditioned upon the subject driveway access being located off of Ridge Acres Lane.

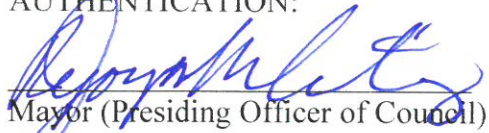
WHEREAS, consistent with the *Decision and Entry Reversing and Vacating Decision of City of Clayton Council Denying Lot Split and Remanding for Approval* issued by the Montgomery County Common Pleas Court in Case No. 2017 CV 01124 on October 13, 2017, Resolution No. R-ZC-16-06 (enacted February 2, 2017) denying said lot split is to be vacated and said lot split approved as recommended by the Planning Commission.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CLAYTON, STATE OF OHIO:

1. That the recommendation of the Clayton Planning Commission to approve the application for a Planned Development (PD-1) Modification (with conditions as specified herein) filed by Steven H. Spears for property located at 9971 Ridge Acres Lane (Parcel ID M60 19106 0001) requesting approval to split said lot in order to allow for the construction of a single family residence is hereby approved with the following conditions placed upon approval by the Planning Commission: provided all setbacks are complied with and landscaping and building materials are similar to the surrounding homes and further conditioned upon the subject driveway access being located off of Ridge Acres Lane.
2. That this Resolution shall be effective as an exception to any ordinance, resolution or other legislation of the City of Clayton, Ohio, inconsistent with this Ordinance or which imposes additional requirements for effectiveness or validity.


ADOPTED BY COUNCIL ON NOVEMBER 2, 2017.

AUTHENTICATION:


Mayor (Presiding Officer of Council)


Clerk of Council

APPROVED AS TO FORM:


Law Director

CERTIFICATION OF PUBLICATION

This shall certify that the text of the above referenced enactment or a summary thereof was published once in the following newspaper and a summary posted in three places of public access as designated by Council.

Name of newspaper

Date of publication

Englewood Independent November 9, 2017


Clerk