

**AN ORDINANCE REZONING APPROXIMATELY 1.087 ACRES OF REAL PROPERTY SOMETIMES REFERRED TO AS 3644 WEST MARKET STREET CONSISTING OF PARCEL #09-03931 FROM R-1 SINGLE FAMILY RESIDENCE DISTRICT TO B-2 RETAIL BUSINESS DISTRICT**

**WHEREAS**, it is necessary from time to time to rezone property in the City of Fairlawn to allow growth and development within the city; and

**WHEREAS**, the owner of real estate known as Parcel #09-03931 wishes to rezone said parcel to accommodate development of the parcel for business purposes; and

**WHEREAS**, said owner feels that the best zoning classification to allow for the greatest use and market value is a B-2 Retail Business District zoning; and

**WHEREAS**, the City of Fairlawn Planning Commission has recommended said rezoning.

**NOW THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE CITY OF FAIRLAWN, OHIO THAT:**

**Section 1:** The portion of land referenced as Parcel #09-03931 and as more fully described in Exhibit "A", which is attached hereto and made a part hereof, is hereby rezoned B-2 Retail Business District, for the purpose of allowing for business development upon the recommendation of the Fairlawn Planning Commission and subject to all terms and conditions set forth in said resolution of the Fairlawn Planning Commission.

**Section 2:** It is hereby found and determined that this legislation complies with Section 121.22, O.R.C. regarding notification of meetings and all deliberations of this Council pertaining hereto have been conducted in accordance therewith.

**Section 3:** This ordinance shall be in full force and effect from and after its adoption and approval by the Mayor or at the earliest period allowed by law.

Enacted: \_\_\_\_\_, 2021

Approved: \_\_\_\_\_, 2021

\_\_\_\_\_  
Russell T. Sharnsky, President of Council

\_\_\_\_\_  
Mayor William J. Roth, Jr., Mayor

Approval of the form and corrections by R. Bryan Nace, Director of Law:

\_\_\_\_\_

**CERTIFICATION OF PASSAGE**

I, Tonja K. Caldwell, Clerk of Council of the City of Fairlawn do hereby certify that the foregoing Ordinance was duly and regularly passed at a meeting on \_\_\_\_\_, 2021.

\_\_\_\_\_  
Tonja K. Caldwell, Clerk of Council

**CERTIFICATION OF POSTING**

This is to certify that on \_\_\_\_\_, 2021 the within Ordinance was published as required by in Section 222.03(a) of the Codified Ordinances of the City of Fairlawn.

\_\_\_\_\_  
Tonja K. Caldwell, Clerk of Council

APPROVED  
City of Fairlawn

The Western Reserve Surveying Co.

4705 STATE ROAD  
VELAND, OHIO 44109  
PHONE: 216/741-0110 741-3243  
FAX: 216/741-3926

*Sub Signatures*  
City Engineer

A-4260

Date 12-18-06 September 7, 2006

LEGAL DESCRIPTION FOR  
CORRINE P. FRASE, TRUSTEE  
PARCEL "B"

Situated in the City of Fairlawn, County of Summit and State of Ohio and known as being part of Original Copley Township Lot No. 3, and bounded and described as follows:

Beginning at a stone found on the Easterly line of said Original Lot No. 3 at a record distance of 1321.53 feet from the Northeast corner of said Original Lot;

Thence North 87°-20'-00" West 611.50 feet to a point at the Southwest corner of a parcel of land conveyed to Jefferson Park Properties by deed recorded in Volume OR. 162, Page 221 of Summit County Records;

Thence North 3°-00'-00" East along a Westerly line of said parcel conveyed to Jefferson Park Properties, said line also being an Easterly line of a parcel of land conveyed to Rosemont Commons Limited Partnership by deed recorded in Volume OR. 820, Page 342 of Summit County Records, 694.00 feet to a point at the Northwest corner of said parcel conveyed to Jefferson Park Properties, said point being marked by a 5/8" iron pin set and also being the principal place of beginning;

Thence continuing North 3°-00'-00" East along the Easterly line of said parcel conveyed to Rosemont Commons Limited Partnership, 287.26 feet to a point marked by a 5/8" iron pin set;

Thence South 87°-08'-14" East, parallel with the Southerly line of West Market Street, 165.00 feet to a point on the Westerly line of said Jefferson Park Properties, said point marked by a 5/8" iron pin set;

Thence South 3°-00'-00" West along a Westerly line of said parcel conveyed to Jefferson Park Properties, 286.70 feet to an interior corner therein, said point marked by a 5/8" iron pin set;

Thence North 87°-20'-00" West along a Northerly line of said parcel conveyed to Jefferson Park Properties, 165.00 feet to a point and the principal place of beginning and containing 1.0870 acres of land according to a survey by the Western Reserve Surveying Co. dated September, 2006 be the same more or less but subject to all legal highways.

EXHIBIT A