

RESOLUTION NO.: 33 -2021
INTRODUCED BY: Alexander

**A RESOLUTION CONFIRMING THE ACTION OF THE
PLANNING COMMISSION TO APPROVE A LOT SPLIT OF
CURRENT PERMANENT PARCEL NO. 662-30-090 AT 621
RICHMOND ROAD.**

Whereas, at its regular meeting on March 10, 2021, the Planning Commission approved a motion to recommend to Council the approval of a lot split application submitted by Richmond Heights Owner LLC (the "Applicant"), to split Permanent Tax Parcel No. 662-30-090 at 621 Richmond Road into two (2) separate parcels but one resulting parcel will not abut a public street;

Whereas, the Planning Commission, exercising its authority under Codified Ordinance 1105.16 based on its finding of exceptional conditions related to this regional mall and its redevelopment that are not common to other areas similarly situated and where an undue hardship would result if the lot split were not granted, also recommended a condition be placed upon the approval of this lot split to the effect that there be a permanent easement of vehicular access to and from a public street for the one parcel that will not abut a public street and that the City's Director of Law approve the language of that easement;

Whereas, the City's Director of Law suggested language be included in an access easement for the benefit of the landlocked parcel to the effect that the easement could not be extinguished, vacated, or amended to eliminate vehicular access to and from that parcel and a public street;

Whereas, at its April 6, 2021 regular meeting, Council's Planning and Zoning Committee recommended confirmation by the entire Council of this lot split application with the condition recommended by the Planning Commission and the Director of Law;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Richmond Heights, State of Ohio, that:

Section 1: The action of the Planning Commission of the City of Richmond Heights taken at its March 10, 2021 meeting in recommending to Council the approval of the split of the parcel at 621 Richmond Road (P.P. #662-30-090) to create two parcels in compliance with the lot split plat approved by the City Engineer and the Planning Commission is confirmed but with the condition that an easement be recorded which

assures vehicular access to and from a public street to the landlocked parcel being created by the lot split and that the easement be approved by the City's Director of Law so as to assure such access.

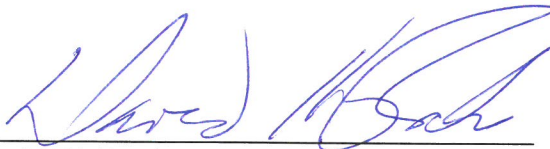
Section 2: Pursuant to Codified Ordinance 1105.16, this Council finds that there exist exceptional conditions related to this regional mall and its redevelopment that are not common to other areas similarly situated and that an undue hardship would result if the lot split were not granted but with the condition as stated in Section 1 of this Resolution.

Section 3: The Clerk is instructed to mail a copy of this Resolution to the Applicant.

Section 4: It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and 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 121.22 of the Ohio Revised Code.

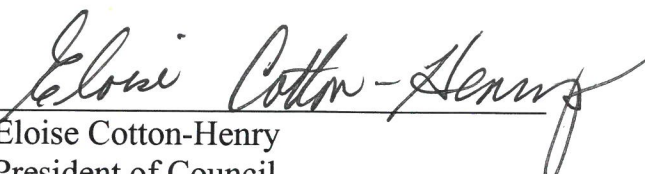
Section 4: This Resolution shall take effect and be in force from and after the earliest period allowed by law.

PASSED: April 27, 2021


David H. Roche, Mayor

APPROVED: April 27, 2021

ATTEST: Betsy Traben
Betsy Traben
Clerk of Council


Eloise Cotton-Henry
President of Council