

RESOLUTION NO.: 49 -2021  
INTRODUCED BY: Alexander

**A RESOLUTION CONFIRMING THE ACTION OF THE PLANNING COMMISSION TO APPROVE A LOT SPLIT OF CURRENT PERMANENT PARCEL NO. 662-27-048 AT 621 RICHMOND ROAD.**

Whereas, at its regular meeting on April 14, 2021, the Planning Commission approved a motion to recommend to Council the approval of a lot split application submitted by Richmond Heights Town Square Owner LLC (the "Applicant"), to split Permanent Tax Parcel No. 662-27-048 of approximately 23.51 acres at 621 Richmond Road into two (2) separate parcels, being 14.76 acres and 8.75 acres but the 8.75-acre parcel will not abut a public street as required by the City's Codified Ordinance Section 1111.20(g);

Whereas, the Planning Commission, exercising its authority under Codified Ordinance 1105.16, based its recommendation 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 and also on its recommendation of 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 vacated, terminated, revised or amended to eliminate vehicular access to and from that parcel and a public street;

Whereas, at its May 4, 2021 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 April 14, 2021 meeting in recommending to Council the approval of the split of the parcel at 621 Richmond Road (P.P. #662-27-048) 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 permanent access.

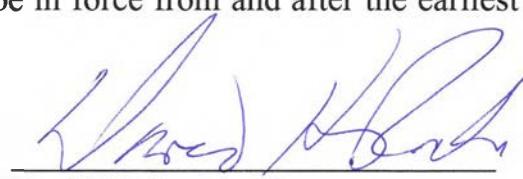
Section 2: Pursuant to Codified Ordinance Section 1105.16, this Council finds that there exist exceptional conditions related to this regional mall and its redevelopment that are not common to other areas similarly situated and that an undue hardship would result if the lot split were not granted but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

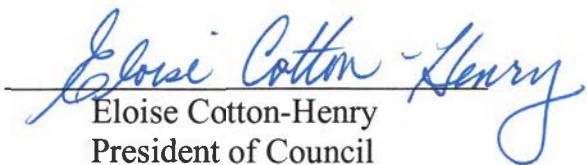
PASSED: May 11, 2021



David H. Roche, Mayor

APPROVED: May 11, 2021

ATTEST: Betsy Traben  
Betsy Traben  
Clerk of Council



Eloise Cotton-Henry  
President of Council