

**RESOLUTION NO.:** 2022-R35 (Amended June 28, 2022)  
**SPONSOR:** MAYOR NEUGEBAUER  
**INTRODUCED:** JUNE 14, 2022 **ASSIGNED TO:** \_\_\_\_\_

**A RESOLUTION ~~APPROVING ACCEPTING THE PLANNING & ZONING COMMISSION'S ("PZC") APPROVAL OF~~ RAINTREE ESTATES PHASE II REPLAT #3, AND DECLARING AN EMERGENCY.**

WHEREAS, at its regularly scheduled meeting on April 20, 2022, the City of Green Planning & Zoning Commission ~~approved~~ **made a favorable recommendation to Green City Council for** Raintree Estates Phase II Replat #3, by a vote of 5-0; and

WHEREAS, at its regularly scheduled meeting on May 19, 2022, the City of Green Board of Zoning Appeals granted a variance to the proposed lot size of Lot 73 in Raintree Estates; and

WHEREAS, Green Codified Ordinances Section 1224.06(4)(J) requires Green City Council to confirm the final approval of the Planning & Zoning Commission.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF GREEN, COUNTY OF SUMMIT, AND STATE OF OHIO THAT:**

**SECTION ONE:**

Green City Council, pursuant to Section 1224.06(4)(J) of the City's Land Development Code, **approves** ~~confirms~~ Raintree Estates Phase II Replat #3, a copy of which is attached here to as Exhibit "A".

**SECTION TWO:**

The City of Green finds and determines that all formal actions of this Council concerning and relating to the adoption of this Resolution were taken in open meetings of this Council and any deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, in compliance with all legal requirements.

**SECTION THREE:**

Green City Council declares this to be an emergency immediately necessary for the preservation of the public peace, health, safety and welfare of the citizens of Green and for the further reason that the plat can be recorded immediately. Provided that this legislation receives the affirmative vote of three-fourths ( $\frac{3}{4}$ ths) of the members elected or appointed to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force at the earliest time allowed by law.

ADOPTED: \_\_\_\_\_, 2022

\_\_\_\_\_  
Nichole Messner, Clerk of Council

\_\_\_\_\_  
Dave France, Council President

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APPROVED: \_\_\_\_\_, 2022

\_\_\_\_\_  
Gerard M. Neugebauer, Mayor

ENACTED EFFECTIVE: \_\_\_\_\_, 2022

ON ROLL CALL:   Babbitt \_\_\_\_\_ Brandenburg \_\_\_\_\_ DeVitis \_\_\_\_\_ France \_\_\_\_\_  
                          Noble \_\_\_\_\_ Meager \_\_\_\_\_       Yeargin \_\_\_\_\_

*Southside Leader* publication on \_\_\_\_\_ and \_\_\_\_\_

\_\_\_\_\_  
Nichole Messner, Clerk of Council

~~06/23/2022~~ ~~06/09/2022~~ Approved as to form and content by Lisa Dean, Director of Law. \_\_\_\_\_