

RECORD OF RESOLUTIONS

Resolution No.: 1796

Passed: January 26, 2017

A RESOLUTION AUTHORIZING THE RECONSTRUCTION AFTER CALAMITY OF A 27-UNIT MULTIFAMILY APARTMENT COMPLEX LOCATED AT 201 EAST THIRD STREET

WHEREAS, Buckeye Community Sixty Two, LP, an Ohio limited partnership (the "Partnership"), is the purchaser of a twenty-seven (27) unit, multifamily apartment complex located at 201 East Third Street, Uhrichsville, Ohio 44693 (the "Project"), and the Partnership is preparing for the substantial rehabilitation construction of the Project;

WHEREAS, the Project was established in 1990 and is located on approximately 0.395 acres of land and includes two (2) apartment buildings consisting of twenty-seven (27) one-bedroom units, and thirteen (13) off-street parking spaces;

WHEREAS, the Project is zoned "B" Business District (the "District") under the current Uhrichsville Planning and Zoning Code (the "Code");

WHEREAS, the Project's minimum lot size, minimum front yard depth, minimum rear yard depth, minimum side yard width, maximum building height, off-street parking spaces, and the Project's use are permitted under the Code;

WHEREAS, such a multifamily apartment complex is a permitted, conditional use in the District;

WHEREAS, the City of Uhrichsville, in a zoning letter dated January 18, 2016, confirmed that "the current zoning regulations allow for the residential use" of the Project; and, in a zoning letter dated February 16, 2016, the City confirmed that the Project "is zoned correctly. No other zoning approvals are required.";

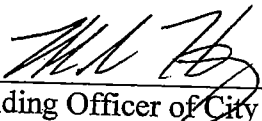
WHEREAS, the Partnership has made a request to the City Council of Uhrichsville, Ohio for approval of the Partnership's, its successors and assigns, right to reconstruct and restore the Project, including but not limited to the use, the maximum height, the minimum lot size, the minimum front yard depth, the minimum rear yard depth, the minimum side yard width, and the number of off-street parking spaces of the Project in the event the Project is destroyed or rendered unusable due to calamity, explosion, fire, act of God, or the public enemy; and

WHEREAS, the City Council of Uhrichsville, Ohio having fully reviewed the request, finds that strict application of the terms of the Code may result in practical difficulties in the reconstruction and restoration of the Project in conformity with provisions of the Code in the event the Project is destroyed or rendered unusable due to calamity, explosion, fire, act of God, or the public enemy.

**A RESOLUTION AUTHORIZING THE RECONSTRUCTION AFTER CALAMITY OF
A 27-UNIT MULTIFAMILY APARTMENT COMPLEX LOCATED AT 201 EAST
THIRD STREET - CONTINUED**

**BE IT RESOLVED BY THE CITY COUNCIL OF UHRICHSVILLE, OHIO
THAT:**

The request of Buckeye Community Sixty Two, LP is hereby granted, allowing the Partnership, its successors and or assigns, the right to reconstruct and restore the Project to its condition, including but not limited to the use, the maximum height, the minimum lot size, the minimum front yard depth, the minimum rear yard depth, the minimum side yard width, and the number of off-street parking spaces of the Project in the event the Project is destroyed or rendered unusable due to calamity, explosion, fire, act of God, or the public enemy ("Calamity") to the use and condition which exists at the time of such Calamity.



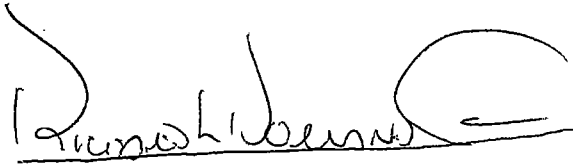
Presiding Officer of City Council

1/24/17
Date



Clerk of City Council

1/26/17
Date



1/26/17

1-26-17