

County Council of Cuyahoga County, Ohio

Resolution No. R2023-0221

<p>Sponsored by: County Executive Ronayne on behalf of Cuyahoga County Planning Commission</p>	<p>A Resolution authorizing the County Executive to accept dedication of land for Daisy Lane in The Sanctuary of Olmsted and the Preserve of Olmsted Subdivision (The Sanctuary & Preserve Subdivision) (Phase 3), located in Olmsted Township, as a public street along with established setback lines, rights-of-ways and easements (1.39 total acres); authorizing the County Executive to accept dedication of easements for public utilities, facilities, and appurtenances within The Sanctuary & Preserve Subdivision (Phase 3) to public use granted to the Olmsted Township and its corporate successors; authorizing the Clerk of Council to execute the Final Plat on behalf of County Council; and declaring the necessity that this Resolution become immediately effective.</p>
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WHEREAS, pursuant to Ohio Revised Code Section 711.10, the Cuyahoga County Planning Commission has authority to adopt regulations and procedures governing the proposed divisions of land to review and approve, approve with conditions, or to disapprove the proposed preliminary plan of new major subdivisions; and

WHEREAS, the Cuyahoga County Land Development Regulations originally adopted November 8, 2007 and amended December 9, 2010, require the Cuyahoga County Planning Commission to refer the final dedication plat to the County “for acceptance of dedication of land for any public street, highway or other public ways, open space, or public easement on the final plat;” and

WHEREAS, the Cuyahoga County Planning Commission has granted conditional approval of the Final Plat for The Sanctuary & Preserve Subdivision (Phase 3) on July 13, 2023; and

WHEREAS, pursuant to the above regulations, Cuyahoga County Planning Commission recommends the acceptance of the dedication of land for Daisy Lane in The Sanctuary & Preserve Subdivision (Phase 3) as a public street along with established setback lines, right-of-way, and easements (1.39 acres total), the

acceptance of which does not entail maintenance responsibilities for the County for said roadways; and

WHEREAS, Cuyahoga County Planning Commission recommends the acceptance and dedication of easements for the construction, maintenance, and operation of public utilities, facilities, and appurtenances in The Sanctuary & Preserve Subdivision (Phase 3), the acceptance of which does not entail operation and maintenance responsibilities for the County for the storm sewers or other public or private utilities with the exception of the sanitary sewers; and

WHEREAS, it is necessary that this Resolution become immediately effective in order that critical services provided by Cuyahoga County can continue and to provide for the usual, daily operation of a County entity.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL OF CUYAHOGA COUNTY, OHIO:

SECTION 1. That the County Council hereby authorizes the County Executive to accept dedication of land for Daisy Lane in Sanctuary & Preserve Subdivision (Phase 3), located in the Olmsted Township, as a public street, along with established setback lines, right-of-ways, and easements (1.39 acres total); to accept dedication of easements for public utilities, facilities, and appurtenances in The Sanctuary & Preserve Subdivision (Phase 3) to public use granted to the Olmsted Township and its corporate successors.

SECTION 2. The operation and maintenance of sanitary sewers shall be the responsibility of the County. The responsibility for the maintenance and operation of roadways and storm sewers, whether located in the Olmsted Township right-of-ways or easements, shall be the responsibility of Olmsted Township.

SECTION 3. That the Clerk of Council is authorized to execute the Final Plat on behalf of County Council in connection with said dedications of land.

SECTION 4. It is necessary that this Resolution become immediately effective for the usual daily operation of the County and the reasons set forth in the preamble. Provided that this Resolution receives the affirmative vote of at least eight members of Council, it shall take effect and be in force immediately upon the earliest occurrence of any of the following: (1) its approval by the County Executive through signature, (2) the expiration of the time during which it may be disapproved by the County Executive under Section 3.10(6) of the Cuyahoga County Charter, or (3) its passage by at least eight members of Council after disapproval pursuant to Section 3.10(7) of the Cuyahoga County Charter. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

SECTION 5. It is found and determined that all formal actions of this Council relating to the adoption of this Resolution were adopted in an open meeting of the

Council, and that all deliberations of this Council and of 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.

On a motion by Mr. Gallagher, seconded by Ms. Simon, the foregoing Resolution was duly adopted.

Yeas: Tuma, Gallagher, Schron, Conwell, Turner, Stephens, Simon, Kelly, Miller, Sweeney and Jones

Nays: None


County Council President

8/8/23
Date


County Executive

8/9/23
Date


Clerk of Council

8/7/23
Date

First Reading/Referred to Committee: July 18, 2023

Committee(s) Assigned: Public Works, Procurement & Contracting

Legislation Discharged from Committee on the Floor: August 1, 2023

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