



SHAKER HEIGHTS

Memorandum

To: Members of Council
From: Kamla Lewis, Director, Director of Neighborhood Revitalization
cc: Mayor David E. Weiss
Jeri Chaikin, CAO
Date: July 6, 2020
Re: **Application to Acquire City Owned Vacant Lot at 3562 Winchell Road (PPN 736-20-089) for Side Lot**

Summary

The City has received an application from Dylan & Ricardo Yepez, 3558 Winchell Road, who are interested in acquiring the city owned vacant lot adjacent to their home, 3562 Winchell Road (PPN 736-20-089) in order to expand their lot. Under the new side lot program process, qualified applications come directly to Council for action after staff review. The set price for acquisition of lots as side yards is \$1.00.

Background & Discussion

Application Summary

- **Applicant:** Dylan & Ricardo Yepez, 3558 Winchell Road
- **Proposal summary:** to purchase this vacant lot to use as an enlarged side yard, build a new garage, lay a new driveway and install landscaping, at an estimated cost of approx. \$30-35,000.

Staff Review of Application

- The applicants' property is not in foreclosure, they are current in their property taxes, and there have been no criminal nuisance activity complaints. They have no outstanding Housing or Zoning Code violations. They purchased their home in Shaker Heights in December 2017, and are owner occupants of this single family property.
- The applicants' proposal is consistent with the City and neighborhood goal of expanding the size of lots in the neighborhood to enable households to have larger yards without selling their home and moving elsewhere.
- The City has no redevelopment plans for this vacant lot.
- Staff considers that the use of the lot as described would be an improvement over it being maintained by the City as a vacant lot. It currently costs the City approx. \$615 per year to maintain a vacant lot.

Background Information

- In February 2020, the City modified its Side Lot Program to make City owned vacant lots more readily available to the adjacent neighbors.

- If the application is approved by Council, the City will enter into an agreement with the applicant that will include all of the conditions and the buyer's responsibilities. The buyer will have to seek Planning Commission (CPC) approval for the consolidation of the lots. If there are variance requirements, they may also have to seek Zoning Board approval. Only once all these conditions are met would the property be transferred.
- The property was acquired by the City in June 2003. There was never a home on this lot.
- Through its vacant lot program, the City so far has sold twenty-four (24) vacant lots.
- One additional vacant lot on Rolliston is being leased to a community group for use as a Community Garden.

Recommendation

Staff recommends approval of the Yopez family application to acquire the City owned vacant lot at 3562 Winchell Road (PPN 736-20-089) for \$1.00 and utilize it as an expanded side yard, and that this be passed on first reading and as an emergency in order to enable the applicant to immediately commence moving forward with their plans.



Yopez home at 3558 Winchell Road and adjacent city owned vacant lot at 3562 Winchell Road

ORDINANCE NO.

BY:

Approving and authorizing execution of a Purchase Agreement under the City's Side Lot Program, for the sale of the City-owned property located at 3562 Winchell Road, Shaker Heights, Ohio (Parcel No. 736-20-089), for a purchase price of \$1.00, authorizing the disposition of City-owned property without competitive bidding, and declaring an emergency.

WHEREAS, in February 2020, the City modified its Side Lot Program, which was originally created in 2008, and which makes City-owned vacant lots available for purchase for \$1.00 by adjacent neighbors to encourage them to acquire the lots to enhance their properties and the neighborhood, and to thereby reduce the costs incurred by the City in maintaining such lots; and

WHEREAS, the property located at 3562 Winchell Road, Shaker Heights, Ohio (Parcel No. 736-20-089), is a City-owned vacant lot (the "Property"); and

WHEREAS, the owners of the property at 3558 Winchell Road (Parcel No. 736-20-088), Dylan and Ricardo Yepez, submitted an Application for Acquiring City-Owned Residential Lots; and

WHEREAS, the Property will be consolidated with the Yepez property at 3558 Winchell Road (Parcel No. 736-20-088), and the lot will be used as the Yepez side yard; and

WHEREAS, the Director of Neighborhood Revitalization has recommended that the City enter into a Purchase Agreement with Dylan and Ricardo Yepez for the Property, for the purchase price of ONE DOLLAR (\$1.00); and

WHEREAS, this Council has determined that the value to the City of the proposed transfer of this vacant lot and its consolidation with the purchasers' adjacent property, as well as the elimination of the City's maintenance costs, provides sufficient consideration and value to the City to justify the sale of the property for \$1.00, and Council hereby declares that this property is not needed by the City for governmental purposes.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Shaker Heights, Ohio, as follows:

Section 1. This Council hereby accepts the offer of Dylan and Ricardo Yepez to purchase the City-owned Property located at 3562 Winchell Road, Shaker Heights, Ohio (Parcel No. 736-20-089), for ONE DOLLAR (\$1.00).

Section 2. The Mayor is hereby authorized and directed to enter into a Purchase Agreement with Dylan and Ricardo Yepez for the purchase of the Property, and for the consolidation of the Property with the property of the purchaser at 3558 Winchell Road (Parcel No. 736-20-088). Said Purchase Agreement shall be in the form as approved by the Director of Law.

Section 3. Pursuant to the terms of said Purchase Agreement, the Mayor is further authorized and directed to sell the City-owned property located at 3562 Winchell Road, Shaker Heights, Ohio, on the terms and conditions set forth in the Purchase Agreement and without advertising further for competitive bids.

Section 4. This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare for the reason that it is necessary to enter into the Purchase Agreement in order to expedite the sale of this City-owned property to reduce the use of City resources to maintain the lot for which there is no municipal purpose, and, therefore, this ordinance shall take effect immediately upon its enactment and approval by the Mayor.

Enacted

Approved this ____ day of _____ 2020.

DAVID E. WEISS, Mayor

Attest:

JERI E. CHAIKIN
Clerk of Council
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