

Memorandum

To: Members of City Council

From: Brendan Zak, Neighborhood Development Specialist, Building and Housing Department

cc: Mayor David E. Weiss
Jeri Chaikin, CAO
Kyle Krewson, Director of Building and Housing
William M. Ondrey Gruber, Director of Law

Date: November 21, 2022

Re: Application to Acquire City Owned Vacant Lot at 3714 Hildana Road for a Side Yard (PPN: 735-20-035)

Summary

The City received an application from Ms. Hellie Stovall who is interested in acquiring the City-owned vacant lot located at 3714 Hildana Road (PPN: 735-20-035) for use as a side yard. The City owned lot is between two two-family homes in the Moreland neighborhood.

Background and Discussion

Application Summary

- **Applicant:** Ms. Hellie Stovall, 3710 Hildana Road
- **Proposal Summary:** Ms. Stovall plans to build an additional wrap-around porch/deck on the back of the home to add a wheelchair ramp for herself. The city-owned lot is 40' wide and 160' deep. Ms. Stovall's home is to the right of the vacant parcel in the below picture.



Staff Review of Application

- The City acquired the parcel in October 2009 and demolished the house in 2010.
- The Applicant meets the qualifications and conditions for the acquisition of a City-owned property under the Side Lot Program:
 - The Applicant's home is owner-occupied.
 - The Applicant's property is not in foreclosure and is current on property taxes
 - There are no outstanding Building, Housing, or Zoning Code violations at Applicant's properties.
 - The Applicant's property will be permanently consolidated with the vacant lot.
- The applicant's 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.
- The agreement will specify in the purchase agreement that any large trees on the property must remain, unless there is a documented disease or other natural event that requires the removal of the tree
- Staff considers the use of the lot as described would be an improvement over the City maintaining a vacant lot.

Neighborhood and Economic Development Committee

- The Committee unanimously recommended to Council the acceptance of the application by Ms. Hellie Stovall and enter into a purchase agreement with Ms. Hellie Stovall to acquire the City-owned vacant parcel located at 3714 Hildana Road (PPN: 735-20-035).

Finance Committee

- A Committee member asked if the proposed improvements would be reviewed. Staff clarified that all improvements will be reviewed by the Planning and the Building and Housing Departments.
- A Committee member asked how selling a City-owned lot affects the City's finances. Staff clarified that the City spends roughly \$800 a year on maintenance of the lots and that the lot would generate roughly \$400 in property taxes once it is owned privately.
- The Committee unanimously recommended to Council the acceptance of the application by Ms. Hellie Stovall and enter into a purchase agreement with Ms. Hellie Stovall to acquire the City-owned vacant parcel located at 3714 Hildana Road (PPN: 735-20-035).

Next Steps

- If City Council approves the application, the City would then enter into an agreement with the Applicant that will include the conditions and the buyer's responsibilities.
- Ms. Stovall will have to seek Planning Commission (CPC) approval to consolidate the parcel on which his home is located and the side yard.

Recommendation

Staff requests that City Council approves the acceptance of the application by Ms. Hellie Stovall and enter into a purchase agreement with Ms. Stoval to acquire the City-owned vacant parcel located at 3714 Hildana Road (PPN: 735-31-005) for \$1.00 so that he can utilize it as an expanded side yard for his property. We request that

this legislation be passed under suspension of the rules on first reading and as an emergency in order to expedite the sale of this City-owned property to reduce the use of City resources to maintain the lot

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 3714 Hildana Road, Shaker Heights, Ohio (Parcel No. 735-20-035), for a purchase price of \$1.00, authorizing the disposition of City-owned property without competitive bidding, and declaring an emergency.

WHEREAS, the City's Side Lot Program 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 owner of the property at 3710 Hildana Road (Parcel No. 735-20-036), Hellie Stovall, submitted an Application for Acquiring City-Owned Residential Lots to purchase the City-owned lot located at 3714 Hildana Road (Parcel No. 735-20-035) (the "Property"); and

WHEREAS, the Property will be consolidated with the Stovall property at 3710 Hildana Road (Parcel No. 735-20-036), and the lot will be used as the Stovall side yard; and

WHEREAS, the Director of Building and Housing has recommended that the City enter into a Purchase Agreement with Hellie Stovall 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 purchaser's 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 Hellie Stovall to purchase the City-owned Property located at 3714 Hildana Road, Shaker Heights, Ohio (Parcel No. 735-20-035), for ONE DOLLAR (\$1.00), and the Mayor is hereby authorized to enter into a Purchase Agreement with Hellie Stovall for the Property, which shall require that the Property be consolidated with the Purchaser's property at 3710 Hildana Road (Parcel No. 735-20-036). Said Purchase Agreement shall be in the form as approved by the Director of Law.

Section 2. The Mayor is further authorized to sell the City-owned property located at 3714 Hildana Road on the terms and conditions set forth in the Purchase Agreement and without advertising further for competitive bids.

Section 3. 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 _____ 2022.

DAVID E. WEISS, Mayor

Attest:

JERI E. CHAIKIN

Clerk of Council

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