

VILLAGE OF SOUTH LEBANON, OHIO  
RESOLUTION NO. 2017- 27

**A RESOLUTION TO INITIATE A ZONING MAP AMENDMENT FOR THE  
PROPERTY LOCATED AT 383 SOUTH MAIN STREET (PARCEL#12-01-401-005)  
CONSISTING OF 0.3256 ACRES FROM RFP [RESIDENTIAL FLOOD PLAIN  
DISTRICT] TO B-1 [NEIGHBORHOOD BUSINESS DISTRICT], AND DECLARING  
AN EMERGENCY**

**WHEREAS**, the property located at 383 South Main Street was zoned Residential Flood Plain since the Village Zoning Code was adopted, however the property was grandfathered in as a non-conforming use for business use; and,

**WHEREAS**, the Village Comprehensive Plan, adopted on September 3, 2015, designates said property as a neighborhood business use along the Little Miami Scenic Bike trail; and,

**WHEREAS**, according to Village ordinance, due to the property not being used for a business purpose for longer than six months, the property lost its non-conforming use; and

**WHEREAS**, per Section 15.7.3 (1) of the Village Zoning Code, Village Council, by adoption of a resolution, may initiate an amendment to the Zoning Code; and

**WHEREAS**, immediate action is required to refer this action to the Village Planning Commission and proceed with the rezoning process, and such action is necessary in order to preserve the public peace, health, safety or welfare of the Village.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Village of South Lebanon, Ohio, at least two-thirds of all members elected thereto concurring:

**Section 1.** That the Council hereby initiates a zoning map amendment for 383 South Main Street (Parcel# 12-01-401-005) from RFP [Residential Floodplain District] to B-1 [Neighborhood Business District].

**Section 2.** That the Village Administrator is directed to forward this request to the Village Planning Commission.

**Section 3.** That the Council is acting in its administrative capacity in adopting this Resolution.

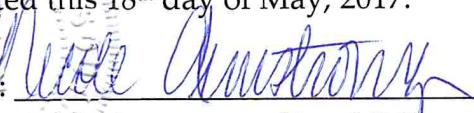
**Section 4.** That the recitals contained within the Whereas Clauses set forth above are incorporated by reference herein.

**Section 5.** That this Resolution is hereby declared to be an emergency measure in accordance with Ohio Rev. Code § 731.30 for the immediate preservation of the public peace, health, safety and general welfare; and, this Resolution shall be in full force and effective immediately upon its passage.

**Section 6.** That it is found and determined that all formal actions of the Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of Council in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Adopted this 18<sup>th</sup> day of May, 2017.

Attest:

  
Nicole Armstrong, Fiscal Officer

  
James D. Smith, Mayor

Rules Suspended: 5/18/2017 (if applicable)

Effective Date - 5/18/2017

Vote - 6 Yeas

\_\_\_\_\_ Nays

First Reading - / /2017

Effective Date - / /2017

Second Reading - / /2017

Third Reading - / /2017

Vote - \_\_\_\_\_ Yeas

\_\_\_\_\_ Nays

Prepared by and approved as to form:

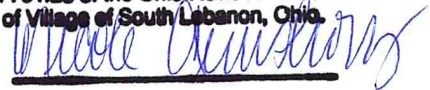
PAUL R. REVELSON  
VILLAGE SOLICITOR  
SOUTH LEBANON, OHIO

By:   
Date: 5/18/2017

**CERTIFICATE OF POSTING**

I, Nicole Armstrong, Fiscal Officer of the Village of South Lebanon, Ohio do hereby certify I posted a true and accurate copy of this ordinance or resolution, summary of ordinance or resolution, or statement, order, proclamation, notice or report, at five public places within the Village as authorized by Section 731.25 of the Ohio Revised Code and Ordinance 98-08 of Village of South Lebanon, Ohio.

5/19/17  
Date

  
Nicole Armstrong  
Fiscal Officer  
Village of South Lebanon,  
Ohio