

**VILLAGE OF SOUTH LEBANON, OHIO
ORDINANCE NO. 2020-15**

**AN ORDINANCE APPROVING ZONING MAP AMENDMENT TO A CERTAIN
PROPERTY IN THE VILLAGE OF SOUTH LEBANON, CONSISTING OF 30.54
ACRES FROM B-2 [GENERAL BUSINESS DISTRICT] TO R-3 [SINGLE AND
MULTI-FAMILY RESIDENTIAL DISTRICT]**

WHEREAS, River Creek Lofts, LLC has submitted an application for a zoning map amendment for certain properties at 1771 Mason-Morrow-Millgrove Road (Parcel#’s 12-07-326-002 & 12-07-100-008) consisting of 30.54 acres from B-2 [General Business District] to R-3 [Single- & Multi-Family Residential District]; and,

WHEREAS, in accordance with Section 15.7.7 of the Village of South Lebanon Zoning Regulations, on May 19, 2020, the Village Planning Commission, heard the aforementioned Rezoning Application and issued its recommendation to the Village Council that the zoning amendment be granted, as requested; and,

WHEREAS, in accordance with Section 713.12 of the Revised Code and Section 15.7.8 of the Zoning Regulations, the Village Council scheduled the Rezoning Application for a public hearing; and,

WHEREAS, the Village Council held the public hearing on June 25, 2020 at 6:30 P.M., after publication and other proper notice thereof, to consider the recommendation of the Planning Commission; and,

WHEREAS, upon considering the recommendation of the Planning Commission, a copy of which is incorporated by reference herein, and the testimony given during the public hearing, the Council finds the process has been in accordance with Article 7 [Amendment Procedures], and adopts the recommendation of the Planning Commission; and,

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of South Lebanon, Ohio, at least a majority of all members elected thereto concurring:

Section 1. That the Council does hereby amend the official Zoning Map of the Village of South Lebanon, Ohio, as follows:

<u>Property Address</u>	<u>Parcel No.</u>	<u>Acreage</u>	<u>Zoning Classification</u>
1771 Mason-Morrow-	12-07-326-002	23.900 ac.	from B-2[General Business
Millgrove Road	12-07-100-008	6.640 ac.	to R-3 [Single & Multi
Lebanon, OH 45036			Family]

Section 2. Upon the expiration of the period of referendum provided by law (the effective date being 30 days after the date of adoption), within fifteen (15) days of the effective date, the Zoning Administrator shall amend the Official Zoning Map to reflect the zoning changes in accordance with Sec. 15.7.14 [Zoning Map Amendments] of the Zoning Regulations.

Section 3. That the recitals contained within the Whereas Clauses set forth above are incorporated by reference herein.

Section 4. That it is found and determined that all formal actions of the Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of Council in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Approved this 16th day of July, 2020.

Attest: Nicole Armstrong
Nicole Armstrong, Fiscal Officer/Clerk

James D. Smith
James D. Smith, Mayor

First Reading – 6/25/2020
Second Reading – 7/2/2020
Third Reading – 7/16/2020

Effective Date – / /2020

Vote - 5 Yeas
1 Nays

Prepared by and approved as to form:
PAUL R. REVELSON
VILLAGE SOLICITOR
SOUTH LEBANON, OHIO

By: [Signature]
Date: 7/16/20

February 3, 2020

Legal Description: 30.54 Acres (PUD Area)

Situated in Section 7, Town 4, Range 3, Warren of Hamilton, State of Ohio, and being more particularly described as follows:

Commencing at a point in the center of Mason-Morrow-Millgrove Road (County Road No. 38) said commencing point bears **South 68° 00' 00" West, 2016.36 feet** from the Northeast corner of lands of Edna C. Pierstorff as per Deed Book 261, Page 493, said commencing point also being at the intersection of the West right-of-way line of the Pennsylvania Railroad with the centerline of Mason-Morrow-Millgrove Road; thence departing the said commencing point with the said West right-of-way line of the Pennsylvania Railroad, **South 41° 24' 00" East, 31.83 feet** to the existing East right-of-way line of Mason-Morrow-Millgrove Road (County Road No. 38) and the point of beginning of the herein described tract of land; thence continuing with the said West right-of-way of Pennsylvania Railroad, **South 41° 24' 00" West, 169.66 feet**; thence **South 43° 22' 00" East, 2,377.65 feet** to the North bank of the Little Miami River, thence with the meanders of the Little Miami River, **South 65° 47' 00" West, 378.81 feet** to a point; thence **South 57° 01' 00" West, 339.68 feet** to the junction line of Muddy Creek and the Little Miami River; thence **North 28° 18' 00" West, 598.39 feet** to a point on the East bank of Muddy Creek; thence crossing the Muddy Creek, **North 50° 30' 00" West, 538.80 feet** to a point on the West bank of Muddy Creek; thence crossing said Muddy Creek, **North 28° 28' 00" West, 782.42 feet** to a point; thence **North 42° 35' 40" West, 660.13 feet** to the existing East right-of-way line of Mason-Morrow-Millgrove Road (County Road No. 38); thence with the said existing East right-of-way line the following three (3) courses and distances,

- 1) **North 68° 00' 00" East, 192.50 feet**;
- 2) **North 58° 29' 57" East, 121.16 feet**;
- 3) **North 68° 00' 00" East, 109.84 feet** to the point of beginning.

The above described tract contains 30.54 Acres (1,330,336.4 Square Feet) of land and is subject to all easements and restrictions of record.

This description is based on the deed of record and is for zoning purposes only and is not the result of actual field survey.