

Sponsor: Kutcheon Jones

ORDINANCE NO. 22-16

AN ORDINANCE REZONING FROM RESIDENTIAL (R-2) TO BUSINESS (B-3) PROPERTY LOCATED IN JACKSON, OHIO, ON SOUTH STREET BETWEEN GAY AND CENTER STREET AND BEING THE FORMER SITE OF SOUTH STREET SCHOOL AND DECLARING AN EMERGENCY.

WHEREAS, the legislative authority of the City of Jackson has received a recommendation from the Jackson City Planning Commission, see Exhibit A, to rezone the area described in Exhibit B, both attached hereto, from Residential (R-2) to Business (B-3); and

WHEREAS, the legislative authority has determined that recommended change in zoning meets the requirements for rezoning for the reasons that: (1) the requested change is in accordance with the City's development goals and objectives; and (2) a rezoning is supported by a substantial change in the area conditions, rendering the original business zoning as functionally obsolete.; and

WHEREAS, immediate rezoning is necessary for the development of the property which is beneficial to and will protect the health, safety and welfare of the City and its citizens and this matter constitutes an emergency.

NOW, THEREFORE, BE IT ORDAINED BY THE LEGISLATIVE AUTHORITY OF THE POLITICAL SUBDIVISION OF THE CITY OF JACKSON, THAT THE AREA DESCRIBED IN EXHIBIT "B", ATTACHED HERETO AND INCORPORATED HEREIN, SHALL BE REZONED FROM RESIDENTIAL (R-2) TO BUSINESS (B-3) ZONING AND THAT THE CHANGE IN THE ZONING SHALL BE REFLECTED ON THE PLANNING AND ZONING MAPS OF THE CITY AND THAT THIS MATTER CONSTITUTES AN EMERGENCY.

This is an emergency necessary to maintain the public health, safety and welfare, for the reason set forth herein. Therefore, this Ordinance shall go into effect upon passage and as provided in Ohio Revised Code Section 731.30.

In the event this Ordinance receives a majority vote for passage but fails to receive the required number of votes to pass as an emergency, then this Ordinance shall be deemed to have passed but with no emergency clause, and shall take effect at the earliest time permitted by law.

It is hereby found and determined that all formal actions of this Council concerning and relating to adoption of this ordinance were adopted in an open meeting of this Council and the deliberations of this Council and any of its committees that resulted in such formal action were in a meeting open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

PASSED AND ADOPTED by the Legislative Authority of the Political Subdivision on this 28th day of March, 2016.



President of Council

ATTEST:

Sherry Barr
Clerk of the Legislative Authority

Approved this 28th day of March, 2016.

Randy Hunt
Mayor

JACKSON CITY PLANNING COMMISSION CITY OF JACKSON, OHIO

IN THE MATTER OF:

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REQUEST OF SHAWN AND MELISSA *
SEXTON TO REZONE CERTAIN *
LOTS ON SOUTH STREET IN *
JACKSON, OHIO FROM R-2 TO B-3 *

RECOMMENDATION

This matter came for consideration before the Jackson City Planning Commission, on the 25th day of February, 2016 upon the request of property owners, Shawn and Melissa Sexton. Present was Commission Chairman, Loretta Jones, and Commission members Rodney Smith and Mayor Randy Heath. Commission member Pete Bopp was absent. Also present was William Sheward, City Service / Safety Director and Shawn Sexton and Melissa Sexton, property owners, together with Greg Kuenning from GBT Realty Corp..

Before the Commission was a request from the Melissa and Shawn Sexton, owners of the property located on South Street, between Gay and Center Streets, being the former site of South Street School, tax parcel numbers H140190000100, H140190000101, H140190000102, H140190000103, H140190000104 and H14090000105, that said property be rezoned from medium density single-family, Residential District (R-2) to Business (B-3). The area subject to the request for rezoning is shown in the attached map and legal description. Also presented with the request, and attached here, is a certificate from a reputable, practicing attorney in this county, that the legal description is complete and proper, and a list of property owners within 200 feet of the property to be rezoned.

This Commission finds that the request meets the requirements for rezoning for the reasons that: (1) the requested change is in accordance with the City's development goals and objectives; and (2) there is a legitimate requirement for additional B-3 zoned land area.

The Commission members present, being of a number sufficient to recommend the requests be approved, unanimously recommend to Jackson City Council that this request for rezoning, be granted.

Dated: March 9, 2016

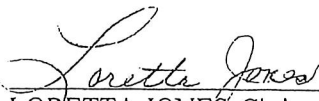

LORETTA JONES, Chairperson
Jackson City Planning Commission
City of Jackson, Ohio

EXHIBIT A

