

# RECORD OF ORDINANCES

BEAR GRAPHICS 800-325-8094 FORM NO. 30043

2019-05

Ordinance No. \_\_\_\_\_

Passed SEPTEMBER 17, 2019

**AN ORDINANCE AMENDING THE ZONING CLASSIFICATION OF PART OF LOT 2652, FORMERLY PART OF LOT 2173, OF THE CITY OF BROOKVILLE FROM ITS PRESENT CLASSIFICATION OF (HS) HIGHWAY SERVICE DISTRICT TO THE NEW CLASSIFICATION OF (I-2) GENERAL INDUSTRIAL DISTRICT.**

**WHEREAS**, a part of the newly platted Lot 2652, formerly part of Lot 2173 in the City of Brookville, being further described in Exhibit A attached hereto, is currently zoned (HS) Highway Service District; and

**WHEREAS**, after public hearing on this amendment to the zoning classification of the property as required by Section 4.11 of the Charter, and upon recommendation of the Planning Commission, Council hereby adopts this Ordinance to amend the zoning classification of the property from its present classification of (HS) Highway Service District to its new classification of I-2 General Industrial District.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BROOKVILLE, OHIO THAT:**

**SECTION I:** The zoning classification of part of newly platted Lot 2652, formerly part Lot 2173, of the City of Brookville, being further described in Exhibit "A" attached hereto and incorporated herein by reference, is hereby amended from its present zoning classification of (HS) Highway Service District to the new classification of (I-2) General Industrial District. This zoning amendment shall only apply to the property, as described in Exhibit "A", if it is transferred from the current property owner of record, RJ Property Holdings, LLC, to another property owner, by deed recorded in the office of the Montgomery County Recorder by December 31, 2019.

**SECTION II:** It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council were in meetings open to the public and in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

**SECTION III:** This Ordinance shall take effect thirty (30) days after passage by the Council of the City of Brookville as provided by the Charter of the City of Brookville.

PASSED this 17th day of September, 2019

ATTEST:

  
Meghan Wheeler, Clerk

  
Charles Letner, Mayor

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CERTIFICATE

The undersigned, Clerk of the City of Brookville, does hereby certify that the foregoing is a true and correct copy of Ordinance No. 2019-05, passed by the Council of the City of Brookville, Ohio, on the 17th day of September, 2019.

  
Meghan Wheeler, Clerk

CERTIFICATE OF POSTING

The undersigned, Clerk of the City of Brookville, Ohio, hereby certifies that the foregoing Ordinance No. 2019-05 was posted at the City Building, US Post Office and the Brookville Branch of the Montgomery County Public Library, Brookville, Ohio, on the 25th day of September, 2019, to the 25th day of October, 2019, both days inclusive.

  
Meghan Wheeler, Clerk

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EXHIBIT "A"

Situate in the State of Ohio, County of Montgomery, and City of Brookville, and being Lot Number 2652 of the consecutive numbers of lots in the said City of Brookville, as platted in Brookville Retail & Industrial Campus, Section Two, as recorded in Plat Book 234, Page 25-25A of the Plat Records of Montgomery County, Ohio.

The attached map sets forth the (HS) Highway Service District within Lot 2652 being rezoned to I-2 General Industrial District.

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| DATE:        | 08-21-2019 |
| DRAWN BY:    | WDG        |
| JOB NUMBER:  | MOTBRO1903 |
| SHEET NUMBER | 1 OF 2     |

