

RECORD OF ORDINANCES

BEAR GRAPHICS 800-325-8094 FORM NO. 30043

Ordinance No. 2023-05 Passed April 4, 2023

AN ORDINANCE ESTABLISHING THE ZONING CLASSIFICATION OF LOTS 2749, 2750 AND 2751 OF THE CITY OF BROOKVILLE, OHIO.

WHEREAS, the City of Brookville has recently annexed 59.401 acres located on Brookville-Phillipsburg Rd. and Upper Lewisburg-Salem Rd. in Clay Township, a copy of said annexation map being attached hereto as Exhibit "A" and incorporated herein by reference; and

WHEREAS, Section 1117.04(c) of the Code of Ordinances provides that within three months after the effective date of an annexation, Planning Commission shall recommend the appropriate permanent zoning districts for the annexed land; and

WHEREAS, after public hearing on the establishment of a zoning classification of the property as required by Section 4.11 of the Charter, and upon recommendation of Planning Commission, Council hereby adopts this Ordinance to establish zoning classifications for the annexed land.

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

SECTION I: The zoning classification of Lots 2750, 2751, and part of Lot 2749, being approximately 23.4 acres within Lot 2749, are hereby assigned the zoning classification of (GB) General Business District. The remainder of Lot 2749, being approximately 35.5 acres, is hereby assigned the zoning classification of (R-1B) Urban Residential District. The zoning classifications are depicted on the map attached hereto as Exhibit "B" and incorporated herein by reference.

SECTION II: As required by Ohio Revised Code Section 709.023, Council has determined that the owner of the annexed territory shall provide a buffer separating the use of the annexed territory and the adjacent land remaining within the township. The term "buffer" in Ohio Revised Code Section 709.023 includes open space, landscaping, fences, walls, and other structured elements, streets and street right-of-way, and bicycle and pedestrian paths and sidewalks.

SECTION III: 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 IV: 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 4th day of April 2023.

ATTEST:



Kimberly Duncan, Clerk



Charles Letner, Mayor


RECORD OF ORDINANCES

BEAR GRAPHICS 800-325-8094 FORM NO. 30043

Ordinance No. 2023-05 Passed April 4, 2023

CERTIFICATE

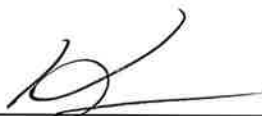
The undersigned, Clerk of the City of Brookville, does hereby certify that the foregoing is a true and correct copy of Ordinance No. 2023-05, passed by the Council of the City of Brookville, Ohio, on the 4th day of April 2023.



Kimberly Duncan, Clerk

CERTIFICATE OF POSTING

The undersigned, Clerk of the City of Brookville, Ohio, hereby certifies that the foregoing Ordinance No. 2023-05 was posted at the City Building, US Post Office and the Brookville Branch of the Montgomery County Public Library, Brookville, Ohio, on the 5th day of April 2023, to the 4th day of May 2023, both days inclusive.



Kimberly Duncan, Clerk

PROPOSED ANNEXATION TO THE CITY OF BROOKVILLE

SECTION 27, TOWN 6, RANGE 4 E
SECTION 34, TOWN 6, RANGE 4 E
CLAY TOWNSHIP, MONTGOMERY COUNTY, OHIO

59.401 ACRES TOTAL



VICINITY MAP

ANNEXATION NOTE:

PERIMETER OF ANNEXATION AREA=7361.16 FT.
CONTIGUOUS BOUNDARY WITH CITY=608.42 FT.

ANNEXATION OWNERS INDEX

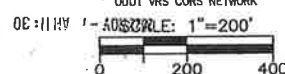
- 1 WLW, LLC.
6043 GEORGETOWN-VERONA RD.
LEWISBURG, OH 45338
IR DEED 09-038950
(58.847 AC. DEED)
C04-006-03-0007
- 2 CITY OF BROOKVILLE
301 SYCAMORE ST.
BROOKVILLE, OH 45309
IR DEED 08-009391
(2.735 AC. DEED)
C05-001-09-0032
- 3 CITY OF BROOKVILLE
301 SYCAMORE ST.
BROOKVILLE, OH 45309
IR DEED 22-003013
(18.631 AC. DEED)
C05-001-09-0020

LINE	BEARING	DIST.
L1	N00°04'26"E	30.00'

LEGEND

- 5/8" X 30" REBAR
W/CAP SET
- 5/8" IRON PIN FOUND
- MAG NAIL SET
- MAG NAIL FOUND
- MONUMENT BOX W/IF PLACED
- ▨ EXISTING CORP. LIMITS

THE BEARING OF N 89°36'11" E ALONG THE
CENTERLINE OF EAST UPPER LEWISBURG SALEM
ROAD WAS BASED ON NAD 83 COR. 98
ADJUSTMENT, OHIO SOUTH ZONE,
GEOID VRS COR. NETWORK



PERTINENT INFORMATION

PLAT BOOK 214, PAGE 16A
LAND SURVEY 2003-0657
LAND SURVEY 2006-0570
LAND SURVEY 2007-0363
LAND SURVEY 2011-0204
LAND SURVEY 2021-0138

CERTIFICATION

I HEREBY CERTIFY THIS PLAT WAS PREPARED IN ACCORDANCE WITH O.A.C.,
CHAPTER 4733.37 STANDARDS OF PLAT OF SURVEYS AND ALSO CONFORMS
TO THE O.R.C. CHAPTER 711 FOR RECORD PLANS AND WAS CONDUCTED
UNDER MY DIRECT SUPERVISION AND BASED ON ACTUAL FIELDWORK PERFORMED
IN FEBRUARY, 2022. ALL MEASUREMENTS ARE CORRECT AND MONUMENTS ARE SET
OR TO BE SET AS SHOWN. CURVE DISTANCES ARE MEASURED ON THE ARC.

Wesley D. Goubeaux, P.S. #8254

2/8/2022
DATE

ADJOINING OWNERS INDEX & TAX MAILING ADDRESS

W. MEYER FARMS, LLC.
11150 BALTIMORE-PHILIPPSBURG PIKE
BROOKVILLE, OH 45309
IR DEED 20-077985
C04-008-03-0008

ALEXANDER J. CLERICUS &
JENNIFER M. CLERICUS
7405 BROOKVILLE PHILIPPSBURG RD.
BROOKVILLE, OH 45309
IR DEED 19-036540
C04-006-03-0021

SYCAMORE RIDGE
COMMUNITY CHURCH
P.O. BOX 88
BROOKVILLE, OH 45309
IR DEED 04-105836
C04-006-03-0029

HARRY EDWIN ARMSTRONG, TRUSTEE &
BETTY A. ARMSTRONG, TRUSTEE
7409 BROOKVILLE PHILIPPSBURG RD.
BROOKVILLE, OH 45309
IR DEED 11-045249
C04-006-03-0065

DONALD G. SCHNEIDER &
CAROL J. SCHNEIDER, TRUSTEES
7554 BROOKVILLE PHILIPPSBURG RD.
BROOKVILLE, OH 45309
IR DEED 08-037446
C04-006-02-0006

CURT P. HEFFELFINGER &
LISA M. MESCHER
459 CRESTWAY DR.
CLAYTON, OH 45315
IR DEED 08-015578
C04-006-02-0008

RAY D. CORDER &
SUSAN D. CORDER
7420 BROOKVILLE PHILIPPSBURG RD.
BROOKVILLE, OH 45309
IR DEED 05-082883
C04-006-02-0105
C04-006-02-0115

MARK R. SMOOT &
LINDA G. SMOOT
7400 BROOKVILLE PHILIPPSBURG PIKE
D.M.F. 99-0409-C06
C04-006-02-0137

MALCOLM R. SMOOT, RHONDA L. THOMAS,
MARK L. SMOOT, MICHAEL SMOOT &
KIRK D. SMOOT
7400 BROOKVILLE PHILIPPSBURG RD.
BROOKVILLE, OH 45309
IR DEED 19-033220
C04-006-02-0009
C04-006-02-0010

JARED A. HOOPS &
AMBER L. HOOPS
10047 UPPER LEWISBURG SALEM RD.
BROOKVILLE, OH 45309
IR DEED 19-057313
C04-006-03-0071

CITY OF BROOKVILLE
301 SYCAMORE ST.
BROOKVILLE, OH 45309
IR DEED 22-003013
(18.631 AC. DEED)
C05-001-09-0020

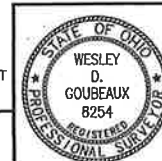
CITY OF BROOKVILLE
301 SYCAMORE ST.
BROOKVILLE, OH 45309
IR DEED 08-009391
(2.735 AC. DEED)
C05-001-09-0032

ALEXANDER J. CLERICUS &
JENNIFER M. CLERICUS
IR DEED 18-036540

SYCAMORE RIDGE
COMMUNITY CHURCH
IR DEED 04-105836
SUR. 2004/332

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IR DEED 11-045249

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PREPARED BY:
ChoiceOne
Engineering

SINCE, OHIO 937.497.0200
LOVELAND, OHIO 513.319.8354

www.CHOICEONEENGINEERING.com

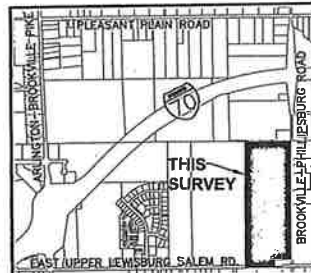
DATE:
02-08-2022
DRAWN BY:
RMF
JOB NUMBER:
MOT-BRO-2204
SHEET NUMBER
1 OF 1

PROPOSED ANNEXATION TO THE CITY OF BROOKVILLE

2022 NOV -7 4:11:30

SECTION 27, TOWN 6, RANGE 4 E
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59.401 ACRES TOTAL



VICINITY MAP

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IR DEED 08-009391
(2.735 AC. DEED)
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- 5/8" IRON PIN FOUND
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- MONUMENT BOX W/PL PLACED
- EXISTING CORP. LIMITS

THE BEARING OF N 89°36'11" E ALONG THE
CENTERLINE OF EAST UPPER LEWISBURG SALEM
ROAD WAS BASED ON NAD 83 CORRS 96
ADJUSTMENT, OHIO SOUTH ZONE,
COORD VRS CORRS NETWORK

SCALE: 1"=200'

PERTINENT INFORMATION

PLAT BOOK 214, PAGE 16A
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LAND SURVEY 2006-0570
LAND SURVEY 2007-0363
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CO4-006-03-0021

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BROOKVILLE, OH 45309
IR DEED 11-048249
CO4-006-03-0085

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CO4-006-02-0008

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IR DEED 06-015678
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CO4-006-02-0115

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CO5-001-09-0020

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CAROL J. SCHNEIDER, TRUSTEE
IR DEED 08-037446

PLAT BOOK 240 PAGE:

4

W. MEYER FARMS, LLC.
IR DEED 20-077985
70.437 ACRES
SUR. 2011/204

LOT 2740
58.882 ACRES

59.401 ACRES TOTAL
TO BE ANNEXED

WLW, LLC.
IR DEED 08-038959
58.847 AC. DEED

MALCOLM R. SMOOT, RHONDA L. THOMAS,
MARK R. SMOOT, MICHAEL SMOOT &
KIRK D. SMOOT
IR DEED 19-037220

MARK R. SMOOT &
LINDA G. SMOOT
D.M.F. 99-0408C06
3.260 ACRES

RAY D. CORDER &
SUSAN CORDER
D.M.F. 76-0171A01
IR DEED 05-082883

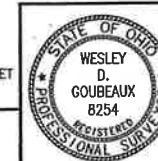
CURT P. HEFELFINGER &
LISA M. MESCHER
IR DEED 08-015678
17.83 AC. DEED

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Wesley D. Goubeaux, P.S. #8254

DATE: 2/8/2022



PREPARED BY:

ChoiceOne
Engineering

SIDNEY, OHIO 937.497.0000
LOVELAND, OHIO 513.279.8554

www.CHOICEONEENGINEERING.com

DATE: 02-08-2022

DRAWN BY: RMF

JOB NUMBER: MOT-BRO-2204

SHEET NUMBER

1 OF 1