

**CITY OF XENIA, OHIO
ORDINANCE 2021-09**

AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF XENIA, OHIO, TO REZONE 53.4 ACRES, MORE OR LESS, AT THE INTERSECTION OF VAN EATON ROAD AND LOWER BELLBROOK ROAD, FROM PUD PLANNED UNIT DEVELOPMENT AND A-1 AGRICULTURAL DISTRICT TO 44.7 ACRES OF R-1C ONE-FAMILY RESIDENTIAL DISTRICT (7,500) ZONING AND 8.7 ACRES OF R-2 TWO-FAMILY RESIDENTIAL DISTRICT ZONING

WHEREAS, Rob Arnold, as property owner, submitted an application to rezone the property located at the intersection of Van Eaton Road and Lower Bellbrook Road from PUD Planned Unit Development and A-1 Agricultural District to 44.7 Acres of R-1C One-Family Residential District (7,500) zoning and 8.7 acres of R-2 Two-Family Residential District zoning;

WHEREAS, the procedures with regard to zoning amendments to the City's Official Zoning Map, as set forth in Section 1220.03 of the City's Land Development Code, have been followed;

WHEREAS, the Xenia Planning and Zoning Commission, at its April 1, 2021, regular meeting, voted (3-1) to make a recommendation to this Council that the requested rezoning be approved and this Ordinance be adopted; and

WHEREAS, this Council finds it to be in the best interests of the health, safety and welfare of the City and its inhabitants to adopt the Planning and Zoning Commission's recommendations and make certain amendments to the City's Official Zoning Map.

NOW, THEREFORE, THE CITY OF XENIA HEREBY ORDAINS, at least four (4) members of the City Council concurring, that:

Section 1. The Official Zoning Map of the City of Xenia, Ohio, is hereby amended by changing the zoning district classification from PUD Planned Unit Development and A-1 Agricultural District, to 44.7 Acres of R-1C One-Family Residential District (7,500) zoning and 8.7 acres of R-2 Two-Family Residential District zoning, on the property located at the intersection of Van Eaton Road and Lower Bellbrook Road (Greene County Parcel ID M40000100430025000), as shown in Exhibit A, which shall be part of this Ordinance and shall be used as a reference for reflecting the zoning district classification change on the City of Xenia's Official Zoning Map.

Section 2. The City Planner is hereby directed to make the approved amendment to the City's Official Zoning Map.

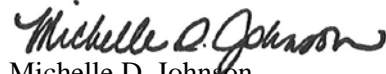
Section 3. All ordinances or parts of ordinances that conflict with this ordinance are hereby repealed.

Section 4. It is found that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council that resulted in this formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 5. This Ordinance shall become effective on May 22, 2021.

Introduced: April 8, 2021
Adopted: April 22, 2021

Attest:


Michelle D. Johnson
City Clerk

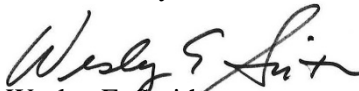
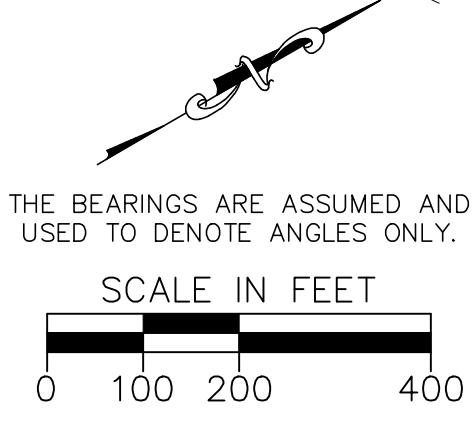
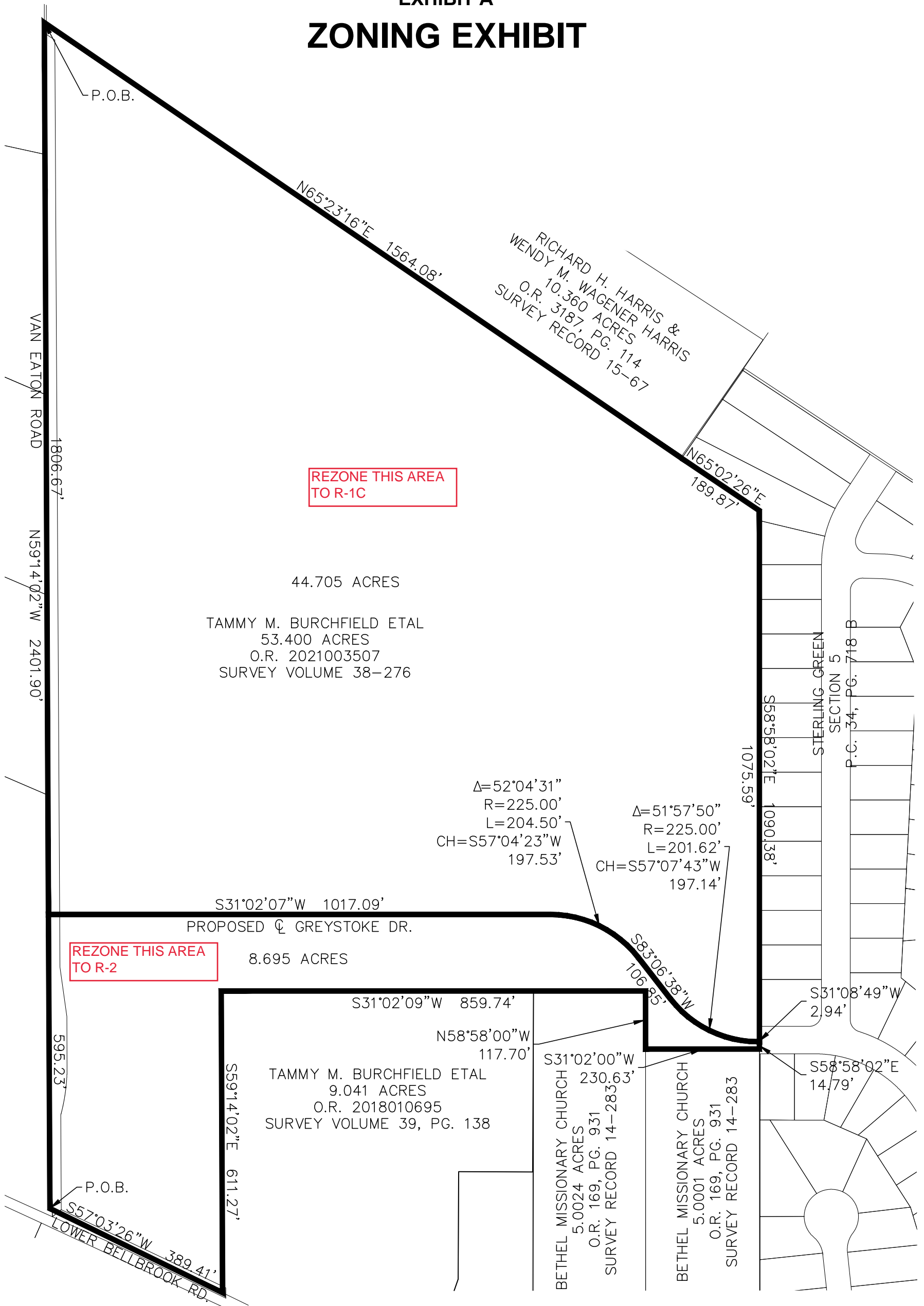

Wesley E. Smith
President, Xenia City Council

EXHIBIT A ZONING EXHIBIT



ChoiceOne Engineering

SIDNEY, OHIO 937.497.0200
LOVELAND, OHIO 513.239.8554

www.CHOICEONEENGINEERING.com

DATE:	02-18-2021
DRAWN BY:	CJF
JOB NUMBER:	GREXEN2101
SHEET NUMBER	1 OF 1

EXHIBIT A

LEGAL DESCRIPTION 44.705 ACRE REZONING

BEING 44.705-ACRES OUT OF A 53.400-ACRE TRACT OF LAND OWNED BY TAMMY M. BURCHFIELD ET AL AS CONVEYED IN OFFICIAL RECORD 542, PAGE 1008 OF THE GREENE COUNTY DEED RECORDS, SITUATE IN MILITARY SURVEY NUMBER 3576, CITY OF XENIA, GREENE COUNTY, OHIO AND BEING MORE FULLY DESCRIBED AS FOLLOWS:

Beginning at the northwest property corner of said 53.400 acre tract and being the southwest property corner of a 10.360 acre tract of land owned by Richard H. Harris and Wendy M. Wagener Harris as conveyed in Official Record 3187, Page 114 and being on the centerline of Van Eaton Road;

thence, North $65^{\circ}-23'-16''$ East, 1564.08 feet, to the southeast property corner of said 10.360 acre tract to a point and being the southwest property corner of Sterling Green Subdivision Section 5 as recorded in Plat Cabinet 34, Page 718 B;

thence, North $65^{\circ}-02'-26''$ East, 189.87 feet, along the south property line of said subdivision to a point;

thence, South $58^{\circ}-58'-02''$ East, 1075.59 feet, along the south property line of said subdivision to a point and being on the existing centerline of Greystoke Drive;

thence, South $31^{\circ}-08'-49''$ West, 2.94 feet, along said proposed centerline to a point;

thence, on a curve to the right with a radius of 225.00 feet, an arc distance of 201.62 feet, a delta angle of $51^{\circ}-57'-50''$, and a chord bearing South $57^{\circ}-07'-43''$ West, 197.14 feet, along the proposed said centerline to a point;

thence, South $83^{\circ}-06'-38''$ West, 106.85 feet, along said proposed centerline to a point;

thence, on a curve to the left with a radius of 225.00 feet, an arc distance of 204.50 feet, a delta angle of $52^{\circ}-04'-31''$, and a chord bearing South $57^{\circ}-04'-23''$ West, 197.53 feet, along the proposed centerline to a point;

thence, South $31^{\circ}-02'-07''$ West, 1017.09 feet, along said proposed centerline to a point and being on the centerline of Van Eaton Road;

thence, North $59^{\circ}-14'-02''$ West, 1806.67 feet, along the centerline of Van Eaton Road to the place of beginning.

Containing 44.705 acres more or less and all being subject to any legal highways and easements of record.

EXHIBIT A

Zoning limit is based on the proposed centerline of Greystoke Drive and Survey Volume 38, Page 276. This description is not to be used for transfer and is to be used for zoning only.

The bearings are assumed and used to denote angles only.

The above description was prepared by Allen J. Bertke, Ohio Professional Surveyor Number 8629, based on a field survey performed under his direct supervision and dated February 18, 2021.

EXHIBIT A

LEGAL DESCRIPTION 8.695 ACRE REZONING

BEING 8.695-ACRES OUT OF A 53.400-ACRE TRACT OF LAND OWNED BY TAMMY M. BURCHFIELD ET AL AS CONVEYED IN OFFICIAL RECORD 2021003507 OF THE GREENE COUNTY DEED RECORDS, SITUATE IN MILITARY SURVEY NUMBER 3576, CITY OF XENIA, GREENE COUNTY, OHIO AND BEING MORE FULLY DESCRIBED AS FOLLOWS:

Beginning at the southerly property corner of said 53.400 acre tract and being the intersection of Lower Bellbrook Road and Van Eaton Road;

thence, North $59^{\circ}-14'-02''$ West, 595.23 feet, along the centerline of Van Eaton Road to a point;

thence, North $31^{\circ}-02'-07''$ East, 1017.09 feet, along the proposed centerline of Greystoke Drive to a point;

thence, on a curve to the right with a radius of 225.00 feet, an arc distance of 204.50 feet, a delta angle of $52^{\circ}-04'-31''$, and a chord bearing North $57^{\circ}-04'-23'$ East, 197.53 feet, along said proposed centerline to a point;

thence, North $83^{\circ}-06'-38''$ East, 106.85 feet, along said proposed centerline to a point;

thence, on a curve to the left with a radius of 225.00 feet, an arc distance of 201.62 feet, a delta angle of $51^{\circ}-57'-50''$, and a chord bearing North $57^{\circ}-07'-43''$ East, 197.14 feet, along said proposed centerline to a point;

thence, North $31^{\circ}-08'-49''$ East, 2.94 feet, along said proposed centerline to a point on the centerline of Greystoke Drive and being on the south property line of Sterling Green Subdivision Section 5 as recorded in Plat Cabinet 34, Page 718 B;

thence, South $58^{\circ}-58'-02''$ East, 14.79 feet; along the south property line of said Subdivision to a point and being the northerly property corner of a 5.0001 acre tract owned by Bethel Missionary Church as conveyed in Official Record 169, Page 931;

thence, South $31^{\circ}-02'-00''$ West, 230.63 feet, along the west property line of said 5.0001 acre tract to a point on the east property line of a 5.0024 acre tract owned by Bethel Missionary Church as conveyed in Official Record 169, Page 931;

thence, North $58^{\circ}-58'-00''$ West, 117.70 feet, along the east property line to the northerly property corner of said 5.0024 acre tract;

thence, South $31^{\circ}-02'-09''$ West, 859.74 feet, along the west property line of said 5.0024 acre tract and the northwest property line of a 9.041 acre tract owned by Tammy M. Burchfield Etal

EXHIBIT A

as conveyed in Official Record 2018010695 to the westerly property corner of said 9.041 acre tract;

thence, South $59^{\circ}-14'-02''$ East, 611.27 feet, along the southerly property line of said 9.041 acre tract to a point on the centerline of Lower Bellbrook Road;

thence, South $57^{\circ}-03'-26''$ West, 389.41 feet, along said centerline to the place of beginning.

Containing 8.695 acres more or less and all being subject to any legal highways and easements of record.

Zoning limit is based on the proposed centerline of Greystoke Drive and Survey Volume 38, Page 276. This description is not to be used for transfer and is to be used for zoning only.

The bearings are assumed and used to denote angles only.

The above description was prepared by Allen J. Bertke, Ohio Professional Surveyor Number 8629, based on a field survey performed under his direct supervision and dated February 18, 2021.