

TEMPORARY ORDINANCE NO. 5-20

PERMANENT ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING THE ZONING MAP FOR THE 21.000 ACRE PROPERTY CONSISTING OF THREE PARCELS LOCATED ALONG CAMPGROUND ROAD AND INCLUDING THE EXISTING RESIDENCE ADDRESS 1443 CAMPGROUND ROAD PARCEL NUMBERS 0531004100, 053-1004300, AND 0531004110

WHEREAS, a petition to rezone the above property from RS-1 Single Family Residential to IH Industrial Heavy District was received on December 10, 2019 by the City Engineering Department; and

WHEREAS, the City Planning Commission held a public hearing on February 13, 2020 and approved the rezoning request application in a 7-0 vote as set forth in Exhibit A attached hereto and incorporated herein;

NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LANCASTER, STATE OF OHIO:

SECTION 1. That the zoning ordinance of the City of Lancaster, Ohio be and the same is hereby revised by changing the zoning for the 21.000 acre property, described in Official Record 1656, Page 3526, and Official Record 1134, Page 998 from RS-1 Single Family Residential to IH Industrial Heavy District.

SECTION 2. That the City Engineer is directed to make the changes on the zoning map.

SECTION 3. That this ordinance shall take effect and be in force from the earliest period allowed by law.

Passed: \_\_\_\_\_ after \_\_\_\_\_ reading. Vote: Yeas \_\_\_\_\_ Nays \_\_\_\_\_

Approved: \_\_\_\_\_

\_\_\_\_\_  
President of Council

Clerk: \_\_\_\_\_

\_\_\_\_\_  
Mayor

Offered by: \_\_\_\_\_

Second by: \_\_\_\_\_

Requested by Economic Development Committee



**CITY OF LANCASTER**  
**Storm Water Management**

February 18, 2020

**RE: Kraner Change of Zoning Request**

Dear Teresa:

As the Clerk of City Council, this letter is being provided to you to note that, on Thursday, February 13, 2020, the City Planning Commission voted 7-0 in favor of recommending to the City Council that the change of zoning request application submitted for the Kraner property along Campground Road be approved as submitted.

With this letter we are attaching the report that our office prepared for the Planning Commission meeting; among other things, this report includes the zoning change request application submitted by the petitioner. Minutes from the meeting will also be forwarded once they have been completed.

Thank you,

Steven Wellstead, P.E.  
Stormwater Engineer  
Storm Water Management Department



**CHANGE OF ZONING REQUEST  
Kraner Property  
City Planning Commission Meeting  
February 13, 2020**

**CASE No.:** 2020.002

**REQUEST:** Change of zoning from Residential Single Family RS-1 to Industrial Heavy IH

**PETITIONER:** Tracy T., Toni M., & Ross Kraner  
4280 Wilson Rd. NW  
Lancaster, Ohio 43130

**PETITIONER'S AGENT:** Sitterley, Vandervoort & Davis Ltd.  
Jeffrey K. Vandervoort  
123 S. Broad St., Suite 211  
Lancaster, Ohio 43130  
740-653-0461

**PREVIOUS ACTION:** None

**SITE LOCATION:** 21.000 acre tract, consisting of three parcels, located along Campground Rd. and including the existing residence addressed as 1443 Campground Rd. (see Exhibit #2)

**SITE DESCRIPTION:**

The petitioners have requested this zoning change because they believe the best use of the property to maximize its potential is for industrial purposes. Furthermore, they believe that the desirability of this property for residential purposes is very low due primarily to the surrounding industrial-zoned properties. The petitioner's zoning change application has been attached as Exhibit #1.

Surrounding land use is mixed. The property is bordered to the north and west by agricultural land. The property to the south is considered industrial vacant land by the County, but it too is currently subject to agricultural uses. To the east, there is a single family residential property as well as a City-owned property that is home to Lancaster Municipal Gas and the Upper Hocking Water Pollution Control Facility.

The property is currently zoned Single Family Residential RS-1. Surrounding zoning is Industrial Heavy (IH) to the south and southeast and Residential (both RM-3 and RS-1) to the north and northeast. The property to the west is in

Greenfield Township and zoned Rural Residential (R-1). A map showing the existing zoning districts surrounding this property has been attached as Exhibit #3.

The proposed IH zoning is intended to provide for a full range of industrial uses, including activities which may constitute substantial environmental influences or hazards by their operation and/or appearance. Permitted uses in an IH district include:

1. Public protection facilities (police, fire, etc.)
2. Self-service storage facilities
3. Manufacturing and production
4. Warehouse and distribution
5. Industrial product sales or service
6. Facilities for scientific research, development, and testing
7. Vehicle sales and/or service
8. Trade establishments primarily providing business and household maintenance services (HVAC, plumbing, pest control, etc.)
9. Administrative, business, or professional offices (for lawyers, engineers, accountants, real estate agents, medical professionals, etc.)
10. Convict pre-release centers or correctional community centers, subject to additional stipulations
11. Junk and salvage yards, subject to additional stipulations
12. Contractor equipment and storage yards, subject to additional stipulations
13. Quarrying or mining operations, subject to additional stipulations
14. Plants for the mixing and/or processing of concrete and/or asphalt

Given that Campground Road is not an arterial street, IH zoning would require 50 feet of frontage, a 25 foot setback from the right-of-way, and a minimum 25 foot setback from all abutting AG (Agriculture), R (Residential), or O (Office) districts. Uses in an IH district would be subject to screening, parking, signage and other zoning requirements.

The primary access into the site would be from Campground Road. Campground Road is designated as a local street on the City's Thoroughfare Plan.

Water and gas service is currently available to the site from Campground Road. There is no sanitary sewer currently available to the site – the closest sewer is approximately 350 feet away from the edge of the property – so sewer would have to be extended to service the site. Due to the presence of Hocking River Lateral D between the property and the nearest sewer, servicing this site with sewer would require the use of a syphon, construction of a new pump station, or modifications to the existing pump station along Campground Road just north of Wallace Court.

Most of the site generally drains north into the adjacent farm field, which ultimately discharges to the east and south into Hocking River Lateral D. The site does not contain any FEMA regulated floodplain areas. When developed, the site will need to include a storm sewer system and stormwater detention that complies with the City's requirements.

This site is outside the Wellhead Protection Area and outside the Historic Preservation District.

Soils on the site consist primarily of Ockley Silt Loam (OcB) and Westland Silty Clay Loam (Wk). Both soils have moderate limitations for buildings, parking lots, and roadways due to limited bearing capacity, shrinking/swelling, and the potential for ponding.

#### **ISSUES FOR PLANNING COMMISSION CONSIDERATION:**

1. This rezoning is being done under LCO 1159.04(a) as a rezoning at the request of the petitioner.
2. The Land Use Plan recommends this area for industrial use, and a vast majority of the surrounding properties are already zoned Industrial Heavy (IH).
3. The Planning Commission may recommend that the application be approved as submitted, approved as amended, approved subject to modification, or denied. If denied, the petition is not to be considered by City Council unless the petitioner files a written request with the Clerk of City Council within 15 days from the date of the Planning Commission action for a hearing by the City Council.

#### **RECOMMENDATION:**

The staff has no recommendation.

#### **EXHIBITS:**

Exhibit 1 – Application for District Change

Exhibit 2 – Location Map

Exhibit 3 – Existing Zoning Map

Date Filed: December 10, 2019  
 Planning Commission Review Date: 2/13/2020  
 Application Fee (\$150 + \$10/Parcel): \$180  
 Sign Posting Fee (\$50): \$50  
 Publication Fee (\$100): \$100  
 Total Fee: \$330

**APPLICATION FOR DISTRICT CHANGE**

Lancaster, Ohio

NOTE: Applications for any change of district boundaries or classifications of property as shown on the Zoning Map, and for regulation amendments, shall be submitted to the Planning Commission, at the City Engineer's Office upon such forms, and all shall be accompanied by such date and information, as may be prescribed for that purpose by the Planning Commission, so as to assure the fullest practicable presentation of facts for the permanent record. Such data shall include a plan or map drawn to the required specifications. Each such application shall be verified by at least one of the owners or lessees of property within the area proposed to be reclassified, attesting to the truth and correctness of all facts and information presented with the application. Applications for amendments or district changes initiated by the Planning Commission itself shall be accompanied by its own motion pertaining to such proposed amendment.

NOTE: List of Property Owners: Any person or persons desiring a change in the zoning shall file with the application for such change a statement giving the names and addresses of the owners of all properties contiguous to, directly across the street and/or alley from any part of the exterior boundaries of the parcel which is proposed to be changed, and all landowners of property within the proposed parcel to be rezoned. This list is to be obtained from records in the County Auditor's Office or the County Treasurer's Office.

1. **Name of Petitioner:** Tracy T. Kraner, Toni M. Kraner & Ross Kraner
2. **Address & Phone Number:** 4280 Wilson Rd. NW, Lancaster, Ohio 43130; (740) 503-1169
3. **Petitioner's Attorney or Agent's Name Address and Phone Number:** Jeffrey K. Vandervoort, Sitterley, Vandervoort & Davis Ltd, 123 S. Broad St., Ste 211, Lancaster OH 43130  
(740) 653-0461
4. **General Area and Location of Request:** Parcel #'s: 053-10041.00, 053-10043.00, 053-10041.10  
0 Camp Ground Rd., Lancaster Zoning Map Book Page 2; See also, Plat of Survey, Exhibit A
5. **Present Zoning District:** RS-1 Residential Single-Family

**RECEIVED**  
**CITY OF LANCASTER**  
**DEC 10 2019**  
**ENGINEERING DEPARTMENT**  
 FILE No. \_\_\_\_\_

6. Requested Zoning District: (1H) Industrial Heavy District

7. Reason for this Application: Applicant's parcel is almost completely surrounded by Industrial Heavy property. As such, applicant believes the best use of the property to maximize its potential would be consistent with the (1H) Industrial Heavy surrounding area. In addition, due in part to the Industrial Heavy surroundings, the desirability of this property for residential single-family is significantly reduced.

8. Legal Description of the Property: \_\_\_\_\_  
See Legal Description, attached and incorporated herein as Exhibit B.

NOTE: LEGAL DESCRIPTION MUST BE REVIEWED AND APPROVED BY THE CITY ENGINEER'S OFFICE BEFORE SUBMITTING AN APPLICATION TO THE PLANNING COMMISSION.

9. Has there been a previous application for district change of the above parcels? No

10. If so, give date: N/A

11. Does the notice go to petitioner or agent? Attorney - Jeffrey K. Vandervoort

12. The above statements and the statements contained in all exhibits transmitted herewith are true.

Toni M. Kraner  
Applicant (Property Owner's Signature)  
Toni M. Kraner

Ross Kraner  
Applicant (Property Owner's Signature)  
Ross Kraner

Sworn to before me a Notary Public in and for said Toni M. Kraner and Ross Kraner, Fairfield County and State of Ohio, on the 5<sup>TH</sup> day of DECEMBER, 2019.

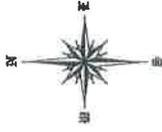
Michael N. Nohel 12-10-19  
Engineer's Approval & Date

Jeffrey K. Vandervoort  
Notary



JEFFREY K. VANDERVOORT  
Attorney At Law  
NOTARY PUBLIC - STATE OF OHIO  
My commission has no expiration date  
Section 147.03 R.C.

# PLAT OF SURVEY FOR RE-ZONING



GRAPHIC SCALE 1 INCH = 200 FEET

OR 1588, Page 3446  
33.444 Acres

Kenton F Ridenour  
Kenton D. Ridenour  
OR 1588, Page 3446  
169.5 Acres (Original)  
PIN 053-13536.00

BEGIN  
21.00 ACRES

SECTION 28

S89°54'00"E 1771.92' total  
1512.70'  
1562.70'

21.00 ACRES

Tracy T. Kraner  
Toni M. Kraner  
OR 1634, Page 998  
20.00 Acres Original Tract  
PIN 053-10041.00  
19.462 ACRES

Neil A. Miller, Trustee  
OR 1797, Page 1570  
11.3 Acres (Original)  
PIN 014-011725.00

SECTION 33

1.0 Acres

209.22'

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N89°54'00"W, 2201.33', by deed from  
Northeast Corner of Section 33

Edward Lee &  
Harriet E. Harrel  
Deed Vol.521, Page 883  
1.0 Acres

City of Lancaster  
Deed Vol.678, Page 732  
35.111 Acres (Original)  
PIN 053-10040.50

Ross Kraner  
OR 1656, Page 3526  
1.0 Acres & 0.538 Acres  
PIN 053-10043.00  
PIN 053-10041.10

N89°54'00"W 1771.92'

Lancaster Area Community Improvement Corp.  
Deed Vol.530, Page 713  
194.153 Acres (Original)  
PIN 053-10040.10

Northwest  
corner 20 Acres

Southwest  
corner 20 Acres

N00°06'00"E 516.37'

Lancaster Corporation Line

CAMPGROUND ROAD

500.06'00"W

209.22'

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For: Tracy and Toni Kraner  
Date of Drawing: Oct.10, 2019

NOTE: This plat and legal description do not meet the minimum standards for boundary surveys in the State of Ohio pursuant to Ohio Revised Code Chapter 4733-37.  
The bearings and distances shown are from existing deeds.  
This plat is for Re-Zoning purposes only.

BY: *Robney McFarland* 10/10/19  
Registered Surveyor No.6416 Date  
TOBIN-MCFARLAND SURVEYING INC.  
111 West Wheeling Street  
Lancaster, Ohio 43130



Ph. 740-887-1710 Fax 740-887-0877

EXHIBIT  
A



**TOBIN-McFARLAND SURVEYING, INC.**

Professional Land Surveyors

111 West Wheeling Street  
Lancaster, Ohio 43130  
Phone (740) 687-1710  
Fax. (740) 687-0877

*Description of 21.00 Acres  
For  
Re-Zoning*

Situated in the State of Ohio, Fairfield County, Township 15, Range 19, Section 33, City of Lancaster.

Being all the 1.0 acre and 0.538 acre tracts described in a deed to Ross Kraner as recorded in Official Record 1656, Page 3526 and 19.462 acres of the 20.00 acre tract described in a deed to Tracy T. and Toni M. Kraner as recorded in Official Record 1634, Page 998, and being more fully described as follows:

Beginning at the northeast corner of the aforementioned 1.0 acre tract and on the north line of Section 33, said point being North 89 degrees 54'00" West a distance of 2201.33 feet from the northeast corner of Section 33;

Thence South 00 degrees 06'00" West, passing the southeast corner of said 1.0 acres at 209.22 feet and passing the southeast corner of the aforementioned 0.538 acres at 259.22 feet a total distance of 516.37 feet to a point in the center of Campground Road at the southeast corner of the aforementioned 20.00 acre tract;

Thence North 89 degrees 54'00" West a distance of 1771.92 feet to the southwest corner of said 20.00 acres;

Thence North 00 degrees 06'00" East a distance of 516.37 feet to the northwest corner of said 20.00 acres;

Thence with the north line of Section 33 South 89 degrees 54'00" East, passing the northwest corner of said 0.538 acres at 1512.70 feet and the northwest corner of said 1.0 acre tract at 1562.70 feet, a total distance of 1771.92 feet to the point of beginning, **Containing 21.00 Acres.**

Bearings are based on deed bearings as recorded in Official Record 1634, Page 998. For additional information see plat of survey made in conjunction with and considered an integral part of this description.

This description is based on deeds of record and does not meet minimum standards for boundary surveys in the State of Ohio pursuant to Ohio Revised Code Chapter 4733-37 and was prepared by Rodney McFarland, Registered Professional Surveyor No. 6416.

USB R2/2019/Kraner/Zoning



*Rodney McFarland* 10/10/19  
Rodney McFarland, P.S. Date  
Sept.26, 2019 originals are signed in blue ink



**Legend**

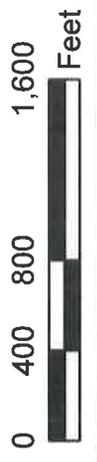
-  Parcels
-  Corporation Boundary
-  Streams

**Disclaimer**

All data created has been developed to meet National Map Accuracy Standards. All GIS data layers are referenced in the Ohio State Plane, Coordinate System  
 Horizontal - North American Datum (NAD) 83 (85)  
 Vertical data - North American Datum Vertical Datum (NAVD) 88  
 Units - Surveyors Feet.  
 All data has been developed from public records that are constantly undergoing change and are not guaranteed for accuracy or precision. The City of Lancaster does not warrant, guarantee or represent the data to be fit for a particular use or purpose.  
 If detailed information is required for data layers shown, please contact the City of Lancaster, Department of Information Technology with any discrepancies.



**Exhibit #2  
Location Map**





Parcel zoned Rural Residential R-1 in Greenfield Township



**Legend**

-  Parcels
-  Corporation Boundary
-  Streams



**DISCLAIMER**  
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**Exhibit #3  
 Existing Zoning Map**



<u>PIN</u>	<u>OWN1</u>	<u>OWN2</u>	<u>MADDR1</u>	<u>MCITYNAME</u>
531353600	RIDENOUR KENTON F	& RIDENOUR KENTON D	4645 CARROLL-EASTERN RD NW	CARROLL
531004010	LANCASTER AREA COMMUNITY	IMPROVEMENT CORP	109 N BROAD ST, SUITE 100	LANCASTER
531004300	KRANER ROSS		1443 CAMPGROUND RD	LANCASTER
531004200	HARREL EDWARD LEE	& HOPE E	1454 CAMPGROUND RD	LANCASTER
140112500	MILLER NEIL A, TRUSTEE OF THE	NEIL A MILLER TRUST	1745 ROCKMILL RD SW	LANCASTER
531004100	KRANER TRACY T	& KRANER TONI M	4280 WILSON RD NW	LANCASTER

**MSTAT MZIPI**

OH 43112  
OH 43130  
OH 43130  
OH 43130  
OH 43130  
OH 43130

**\*\*N.B. This address was not the one listed by the FC Auditor at the time the PC letters were mailed, but this is the correct ad**

**Direct address, not the one shown on the FC Auditor's site. I am not sure if the incorrect address has been changed on the FC Auditor's website.**