

TEMPORARY ORDINANCE NO. 32-22

PERMANENT ORDINANCE NO. 34-22

AN ORDINANCE AMENDING THE ZONING MAP SUBJECT TO PASSAGE OF THE ANNEXATION OF 20.611 +/- ACRES IN GREENFIELD TOWNSHIP, AND TO DECLARE AN EMERGENCY

WHEREAS, an application, attached hereto as Exhibit A, to amend the Lancaster Zoning Map for Fairfield County Tax Parcel Number 0140112530 from Greenfield Township Rural Residential (R-1) to Commercial Neighborhood (CN) for the purpose of developing a City park to be known as Bowers Park, was filed by the property owner on September 8, 2022, with the City of Lancaster Planning Commission pursuant to Lancaster Codified Ordinance (LCO) 1159.04(a); and

WHEREAS, that application was approved at the October 13, 2022, Planning Commission meeting at which time a public hearing was held, according to the meeting minutes attached hereto as Exhibit B; and

WHEREAS, the City must pass an ordinance to establish the zoning for newly annexed territory and pursuant to LCO 1159.04(e) Lancaster City Council must hold a public hearing as a part of that process; and

WHEREAS, pursuant to Ohio Revised Code § 713.12, City Council may amend or modify the recommendation of Planning Commission as set forth in Exhibit B attached hereto;

BE IT ORDAINED by the Council of the City of Lancaster, State of Ohio

SECTION 1. That the zoning ordinance and map of the City of Lancaster, Ohio are hereby revised upon successful passage of the Ordinance to Accept the Annexation to establish the City Boundaries and to establish zoning for the 20.611 +/- acres, pursuant to Exhibits A and B as follows:

- a. Change of zoning from R-1 (Rural Residential) in Greenfield Township to CN (Commercial Neighborhood) zoning district in the City of Lancaster

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

SECTION 3. That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety, and welfare by allowing for expansion of critical services of the City. Therefore, this ordinance shall go into immediate effect.

Passed: 11/28/22 after 3<sup>rd</sup> reading. Vote: Yeas 9 Nays 0

Approved: 11/28/22

Clerk: Jessica Lee Sandy

Teresa A. Ull  
President of Council  
David Schep  
Mayor

Offered by:

Jon H. M. Daniel

Second by:

Cony Schomann

Requested by Economic Development Committee

I, Teresa Lee Sandy, Clerk of Council do hereby certify that on \_\_\_\_\_, 2022 the Lancaster Eagle Gazette published the summary of this ordinance in accordance with Ohio Revised Code 731.24.

\_\_\_\_\_  
Clerk of Council



Date Filed: 9-08-22  
Planning Commission Review Date: 10-13-22  
Application Fee (\$150 + \$10/parcel): -  
Sign Posting Fee (\$50): -  
Publication Fee (\$100): -  
Total Fee: - No Fee

**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 data 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 leasees 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: City of Lancaster
2. Address & Phone Number: 104 East Main St. Lancaster, OH 43130  
740-687-6665
3. Petitioner's Attorney or Agent's Name, Address and Phone Number: \_\_\_\_\_  
City of Lanc. Law Director's Office
4. General Area and Location of Request: \_\_\_\_\_  
Bowers Memorial Park
5. Present Zoning District: R-1, Greenfield Twp

6. Requested Zoning District: CN - Commercial Neighborhood

7. Reason for this Application: To establish zoning since the property was recently annexed

8. Legal Description of the Property: see Annexation Plat

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: \_\_\_\_\_

11. Does the notice go to petitioner or agent? Petitioner

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

[Signature]  
Applicant (Property Owner's Signature)

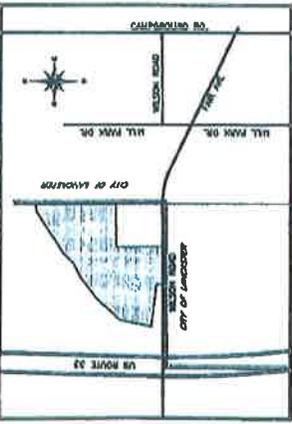
Sworn to before me a Notary Public in and for said Fairfield County and State of Ohio, on the 19th day of September, 2022.

[Signature]  
Notary



DEBORAH JO JULIAN  
Notary Public  
State of Ohio  
My Comm. Expires  
May 22, 2027

[Signature] 9-19-22  
Engineer's Approval & Date



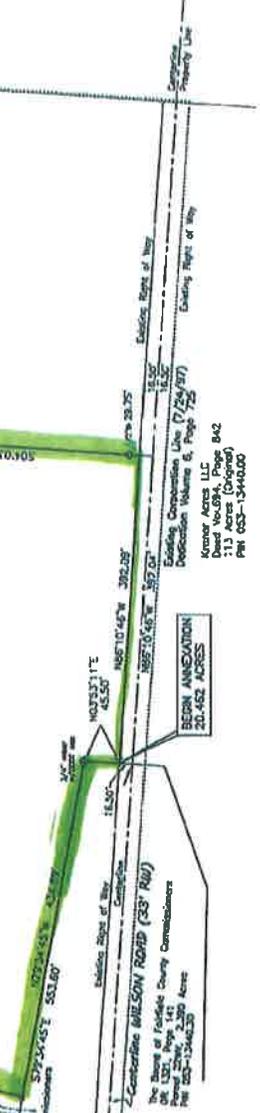
VICINITY MAP

**PLAN OF TERRITORY FOR ANNEXATION TO THE CITY OF LANCASTER**

**BOWERS MEMORIAL PARK**  
 City of Lancaster  
 OR 1797, Page 1546  
 21111 Acres  
 Plat 014-0125.30  
 Survey Book 92, Page 19744

Barbara H. Mathoney  
 Rodin E. Mathoney  
 OR 1515, Page 171  
 12550 Acres  
 Plat 033-1040.27  
 Survey Book 9, Page 97 (08/26/1889)

*Parcel to be  
 Rezoned*



GRAPHIC SCALE: 1 INCH = 100 FEET  
 Annotation/2021/Bowers anniversary

STATE OF OHIO  
 GREENFIELD TOWNSHIP  
 RANGE 19  
 SECTION 33  
 NORTHWEST QUARTER

TOBIN-MCFARLAND SURVEYING INC.  
 111 West Wheeling Street  
 Lancaster, Ohio 43150  
 Ph. 740-887-3716 Fax 740-887-0877

ST: *Barbara Mathoney*  
 Registered Surveyor No. 6418 Date  
 Date of Plat: November 4, 2021

**DESCRIPTION OF ADJACENT LOTS**  
 to be ~~annexed~~ **Rezoned**

Shaded in the State of Ohio, County of Fairfield, Township of Greenfield, Township 35, Range 19, Section 33, unannexed corner.

Being part of the 20.611 acres described in a deed to the City of Lancaster as recorded in Official Record 1767, Page 1546, and being more fully described as follows:

Beginning at a point in Wilson Road at the southeast corner of a 1,675 acre parcel known as a part of the Lancaster Survey, Plat 033-1040.27, containing 12,550 acres, more or less, and being more fully described as follows:

1. A line of 1074.00 feet from the southeast corner of said 1,675 acre parcel to the north right of way line of Wilson Road and the TRUE POINT OF BEGINNING.

2. Thence North 03°33'11" East a distance of 45.50 feet to a 3/4 inch rebar found at the northeast corner of said 1,675 acre parcel.

3. Thence North 87°47'36" East a distance of 330.07 feet to a 5/8 inch rebar found at the northeast corner of said 1,675 acre parcel.

4. Thence North 15°20'24" East a distance of 330.07 feet to a 5/8 inch rebar previously set.

5. Thence North 05°47'57" East a distance of 208.30 feet to a 5/8 inch rebar previously set.

6. Thence North 87°47'36" East a distance of 287.25 feet to a 5/8 inch rebar previously set.

7. Thence North 03°33'11" East a distance of 108.38 feet to a 5/8 inch rebar previously set.

8. Thence North 01°17'08" East a distance of 517.55 feet to a 5/8 inch rebar previously set.

9. Thence North 87°47'36" East a distance of 38.89 feet to a 5/8 inch rebar previously set at the northeast corner of said 20.611 acres.

10. Thence with the existing City of Lancaster corporation line South 04°02'58" West a distance of 861.10 feet to the northeast corner of the 5 acre lot distributed in Official Record 1536, Page 471.

11. Thence North 03°07'47" West a distance of 450.00 feet to a 1/2 inch rebar found at the northeast corner of said 5 acre lot.

12. Thence South 04°02'58" West, passing a 1/2 inch rebar found at 454.25 feet a distance of 45.25 feet to the north right of way line of Wilson Road.

13. Thence North 87°47'36" East a distance of 45.50 feet to a 3/4 inch rebar found at the TRUE POINT OF BEGINNING, Containing 20.612 Acres.

Boundaries are based on the CODOT right-of-way plan PA-93-27.1. Rebars set and previously set are 5/8 inch by 30 inches and have a yellow plastic identification cap stamped "Tobin-McFarland". For additional information see plat of survey made in conjunction with said plat.

This declaration is based on a survey made in October of 2021 by Tobin-McFarland Surveying, Inc. and was prepared by Rodney McFarland, Registered Professional Surveyor No. 6418.

- LEGEND
- 5/8"x30" rebar previously set with a "Tobin-McFarland" cap.
  - 1/2" rebar found at northeast corner of 5 acre lot.
  - 3/4" inch rebar with BDOT cap found

Mark A. Powers  
 City of Lancaster  
 Plat 014-0125.30  
 113 Acres (City-owned)  
 Plat 014-0112.00

The Board of Fairfield County Commissioners  
 OR 1542, Page 391  
 21111 Acres  
 Plat 014-0112.00

Southwest Corner  
 Northwest Quarter  
 Section 33  
 US Route 33  
 State of Ohio

Existing Corporation Line  
 1074.00'

Existing Right of Way  
 16.50'

Existing Corporation Line (7/24/1977)  
 Dedication Volume 6, Page 728

Kramer Acres LLC  
 Deed Vol. 684, Page 842  
 113 Acres (City-owned)  
 Plat 033-1040.27

BEING ANNEXATION  
 20.462 ACRES

**ADJOINERS – BOWER'S PARK**

Kraner Acres LLC  
4280 Wilson Road  
Lancaster, Ohio 43130

Board of County Commissioners  
Attn: Aundrea Cordle  
210 East Main St.  
Lancaster, Ohio 43130

Mark and Beth Powers  
8360 Sugar Grove Road  
Sugar Grove, Ohio 43155

Lancaster Port Authority  
Attn: Stephanie Bosco  
104 East Main St.  
Lancaster, Ohio 43130

State of Ohio  
C/O ODOT Southeast Region Real Estate  
1980 West Broad Street  
Columbus, Ohio 43216

Bertha and Robin Matheney  
3700 Wilson Road  
Lancaster, Ohio 43130

# RECORD OF PROCEEDINGS

Minutes of

CITY PLANNING COMMISSION

Meeting



Held

Thursday, October 13, 2022

The Lancaster City Planning Commission met on Thursday, October 13, 2022. Present were Jan Coccia, John Sigafos, Rick Wilkins, Christine Collins and, Mayor David Scheffler. Also present were Curtis Shonk of the Engineering Department, Pete Vail of Certified Building, Mitch Harden of the City Law Director's Office and Phyllicia Faieta, City Planner. Also present were Councilmen Jack Mattlin (Third Ward), Tom James (Second Ward), Hollei of Crossroads Community Development and Jim Thompson, Acting City Park's Superintendent. The meeting was held in City Hall at 104 East Main Street in Lancaster, Ohio. Mayor Scheffler called the meeting to order at 9:30 AM.

Mayor Scheffler stated that the first and only case for discussion today was Case 2022.009 a Change of Zoning Request for Bowers Park. He then turned the meeting over to the staff.

Ms. Faieta explained that this case was to rezone a parcel of land recently annexed from Greenfield Township into the City of Lancaster. The property was zoned Greenfield Township R-1 and the City of Lancaster wishes to rezone the property to Commercial Neighborhood – CN. The parcel is a 20.611 +/- acreage tract located along Wilson Road NW. She further explained that Commercial Neighborhood – CN was being proposed to accommodate the proposed ball fields along with restrooms and concession stands which would be a permitted use. She also explained that sanitary sewer was recently installed through the parcel and that City Water would soon be available as well.

Mayor Scheffler asked for further comments from the staff and Mr. Thomson advised that the site was currently undergoing changes as the Ohio Operating Engineers out of Logan, Ohio were on site using the property as a training site for new operators and that some of the needed earth moving was being done at no cost. He also advised that the ball fields would not be ready for use for a couple of years.

With there being no one present either as a proponent or opponent of the rezoning issue, the Public Hearing was never opened or closed as per Mitch Harden, Assistant Law Director

With no further discussion or questions, Mr. Sigafos made a motion to approve; seconded by Mr. Wilkins. There was a unanimous vote to approve and the motion carried.

Mayor Scheffler asked for further discussion or a motion to adjourn. Mr. Sigafos made a motion to adjourn; seconded by Mr. Wilkins. There was a unanimous vote to adjourn and the meeting adjourned at 9:37 AM.

Respectfully submitted,

David Scheffler  
Mayor