

TEMPORARY ORDINANCE NO. 7-13

PERMANENT ORDINANCE NO. 11-13

AN ORDINANCE TO AMEND THE APPROVED PLANNED UNIT DEVELOPMENT PLAN FOR AN UNDEVELOPED 17 ACRE +/- TRACT IN HUNTER TRACE ESTATES LYING NORTH OF THE NORTHERN TERMINI OF TRACE DRIVE AND LINDA LANE, TO ALLOW FOR THE CONSTRUCTION OF A SCHOOL

WHEREAS, the Council of the City of Lancaster passed Ordinance 35-06 establishing a RM-2 zoning classification with a Planned Unit Development overlay on said 17 Acre +/- parcel under Ordinance 35-06; and

WHEREAS, Lancaster City School District has acquired said 17 Acre +/- parcel for the purposes of constructing a new school and appurtenant facilities; and

WHEREAS, Lancaster City School District has submitted an amended Planned Unit Development Plan showing a school with appurtenant facilities on said 17 Acre +/- parcel to the Planning Commission of the City of Lancaster for approval; and

WHEREAS, said Planning Commission approved the amended Planned Unit Development plan for said 17 Acre +/- parcel during its February 14, 2013 meeting.

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

SECTION 1. That this ordinance is amending only the approved Planned Unit Development Plan for the undeveloped 17 Acres +/- tract in the Hunter Trace Estates lying North of the Northern Termini of Trace Drive and Linda Lane, to allow for the construction of a school.

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

SECTION 3. That a real and present emergency exists and that this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: 4/8/13 after 3rd reading. Vote: Yeas 9 Nays 0

Approved: 4/8/13

Clerk: Jeresa Lee Sandy

Offered by: Randy R. Paul

Second by: Timothy J. Paul

Thomas J. Paul  
President of Council

Jeff Smith  
Mayor

Requested by Planning, Zoning & Economic Development Committee

Filed 1/10/2013 RM  
 Planning Commission Review Date 2/14/2013  
 Rezoning Fee Paid (\$150+\$10/parcel) \$160  
 Sign Posting Fee (\$50) \$50  
 Legal Ad (\$100) \$100 } \$310.00

**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: Lancaster City Schools
2. Address & Phone Number: 345 E. Mulberry St. Lancaster Oh. 43130  
(740) 687-1300
3. Petitioner's Attorney or Agent's Name, Address and Phone Number: (740) 653-0401  
Attorney: Judith L. Edwards, Esq 123 S. Broad St. #211 Lancaster Oh.  
Agent: Schorr Architects Inc. (Victoria Newell, AIA) 1230 Bradenton Ave.  
Dublin, OH 43017 (614) 798-2090
4. General Area and Location of Request: Request covers 16.445 Acres south  
of W. Walnut St. & at the North End of Trace Dr. & Linda Ln.
5. Present Zoning District: RM-3/PUD

6. Requested Zoning District: Amended PUD

7. Reason for this Application: The current PUD does not allow a public school. This request allows development of the site as a new public building/complex complimenting the adjoining residential community.

8. Legal Description of the Property: See attached documents.

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? Yes

10. If so, give date: The original PUD, date unknown

11. Does the notice go to petitioner or agent? agent & attorney.

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

Steve Wighton  
Applicant (Property Owner's Signature)

Sworn to before me a Notary Public in and for said Fairfield County and State of Ohio, on the 10<sup>th</sup> day of January, 2013.

Teri L. Craiglow  
Notary

\_\_\_\_\_  
Engineer's Approval & Date



TERI L. CRAIGLOW  
Notary Public, State of Ohio  
My Commission Expires 05-12-2014

**LANCASTER CITY SCHOOLS**  
**16.445 Acres**

Situated in the State of Ohio, County of Fairfield, City of Lancaster, Section 11, Township 14, Range 19, being the remainder of a tract conveyed to Mary M. Gorsuch, parcel number 053-60085-10, as described in Deed Volume 396, Page 505 in the records of the Fairfield County Recorder's Office, and being more particularly described as follows:

Commencing for reference at a 5/8 inch rebar (set) at the Northwest corner of Lot Number 80 (Hunter Trace Estates - Part II, Plat Book 11 Page 114 and 115) and being the **TRUE POINT OF BEGINNING** for the parcel herein described:

Thence, with the grantor's west line, North 04 degrees 13 minutes 02 seconds East, 796.22 feet to a point, said point is on the south line of the George Lutz 2<sup>nd</sup> Addition recorded in Plat Book 3, Page 140, said point witnessed by a 3/4 inch iron pipe (found) which is located North 04 degrees 13 minutes 02 seconds East, 3.30 feet;

Thence, with the south line of the said George Lutz 2<sup>nd</sup> Addition, South 87 degrees 25 minutes 35 seconds East, 525.78 feet to a concrete monument (found) at the southeast corner of the said George Lutz 2<sup>nd</sup> Addition, and the southwest corner of the Lancaster Heights Addition as recorded in Plat Book 2 Page 28;

Thence, with the South line of the Lancaster Heights Addition, South 86 degrees 48 minutes 54 seconds East, 209.52 feet to a point, said point being the northwest corner of a 7.390 acre tract conveyed to Hunter's Hill Limited Partnership as recorded in Deed Volume 608, Page 231;

Thence, with the west line of the said Hunter's Hill Limited Partnership tract, South 46 degrees 01 minutes 03 seconds East, 414.89 feet to a 5/8" rebar (found), passing a 5/8" rebar (found) at 12.15 feet;

Thence, with the west line of the said Hunter's Hill Limited Partnership tract, South 26 degrees 46 minutes 32 seconds East, 210.22 feet to a 5/8" rebar (set) at the Northeast corner of Lot 93 as recorded in said Hunter Trace Estates, Part II;

Thence, along the North line of Hunter Trace Estates, Part II, the following seven courses back to the point of beginning:

Thence, South 61 degrees 21 minutes 11 seconds West, 229.00 feet to a concrete monument (found), passing a 3/4 inch pipe (found) at 169.00 feet;

Thence with a curve to the left, radius of 380.00 feet, Central Angle of 04 degrees 05 minutes 00 seconds, Curve length of 27.08 feet, Chord Bearing of South 30 degrees 41 minutes 19 seconds East, and a Chord length of 27.08 feet to a 5/8 inch rebar (set), also being the Northeast corner of Lot 92 of Hunter Trace Estates, Part II;

**LANCASTER CITY SCHOOLS**  
**16.445 Acres**

Thence, South 57 degrees 16 minutes 11 seconds West, 102.70 feet to a point, said point being witnessed by a ¼ inch iron pipe (found) which is located South 76 degrees 16 minutes 37 seconds East, 0.47 feet;

Thence, South 86 degrees 43 minutes 05 seconds West, 423.91 feet to a ¼ inch iron pipe (found), also being the Northwest corner of Lot 85 of Hunter Trace Estates, Part II;

Thence, South 80 degrees 09 minutes 25 seconds West, 209.47 feet to a 5/8 inch rebar (found) at the northwest corner of a 0.037 acre tract conveyed to Ryan D. Cox in Official Record 1505, Page 2708;

Thence, along the west line of said Cox tract, South 04 degrees 10 minutes 44 seconds West, 54.86 feet to a 5/8 inch rebar (set), said rebar being the Northeast corner of Lot 81 of Hunter Trace Estates, Part II;

Thence, North 85 degrees 49 minutes 33 seconds West, 279.84 feet to the **POINT OF BEGINNING**, and containing 16.445 acres in Auditor Parcel Number 053-60085-10.

All 5/8 inch rebar (set) are 30 inches long and have a 1-1/4 inch plastic identification caps stamped "Lockwood, Lanier, Mathias & Noland"

This description was prepared from an actual field survey by Lockwood, Lanier, Mathias & Noland, Inc. under the supervision of Richard F. Mathias, P.S. #7798, November, 2012.

A Plat of Survey was prepared with and is considered an integral part of this description.

Bearings are based on true GPS North.

*Richard F. Mathias*

Richard F. Mathias  
Ohio Registered Survey S-7798



11-15-12  
Date

Legal description Auditor's No. 053-61966-00 is as follows:

Situated in the County of Fairfield and the State of Ohio and Township of Hocking (now City of Lancaster) and being part of the south half of Section No. 2,  
Township 14, Range No. 19, Fairfield County, Ohio, and bounded as follows:

Being Lot Twenty-six (26) in the George Lutz Second Addition to the City of Lancaster, Ohio as the same is delineated in Plat Book 7, Page 20 of the Fairfield County, Ohio Recorder's plat records.

# W. WALNUT STREET (50')

S 87°25'35" E  
49.76'

N2°56'57"E 2.29'  
FROM CORNER  
(5/8" REBAR)

GEORGE LUTZ 2ND ADDITION  
PLAT BOOK 3, PAGE 140

24

25

26

N 2°56'57" E 138.00'

S 3°16'25" W 138.01'

LANCASTER HEIGHTS ADDITION  
PLAT BOOK 2, PAGE 28

61

60

59

10' UTILITY EASEMENT

N2°56'57"E 2.11'  
FROM CORNER  
(5/8" REBAR)

N 87°25'35" W  
48.98'

1" IRON PIPE FOUND  
AND USED AS THE  
SOUTHWEST CORNER OF  
GEORGE LUTZ 2nd ADDITION

MARY M. GORSUCH  
D.V. 396  
PG. 505  
16.96 ACRES  
053-60085-10

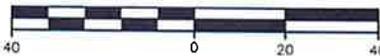
CONCRETE MONUMENT  
FOUND AND USED AS THE  
SOUTHEAST CORNER OF  
GEORGE LUTZ SECOND ADDITION  
AND THE SOUTHWEST CORNER  
OF LANCASTER HEIGHTS ADDITION

## PERTINENT DOCUMENTS USED:

FINAL PLAT OF GEORGE LUTZ 2ND ADDITION  
FINAL PLAT OF LANCASTER HEIGHTS

THIS SURVEY PERFORMED UNDER THE SUPERVISION OF  
RICHARD F. MATHIAS, PROFESSIONAL SURVEYOR No. 7798  
IN NOVEMBER, 2012

*Richard F. Mathias*  
RICHARD F. MATHIAS, PROFESSIONAL SURVEYOR No. 7798 DATE 11-20-12



Horizontal Scale: 1 inch = 40 ft.  
Vertical Scale: 1 inch = 40 ft.

BEARINGS BASED ON GPS TRUE NORTH



- 30" LONG, 5/8" REBAR WITH PLASTIC 1-1/4" CAP STAMPED "LOCKWOOD, LANIER, MATHIAS, NOLAND" (SET)
- IRON MONUMENT (FOUND)
- ▲ RAILROAD SPIKE (SET)
- △ RAILROAD SPIKE (FOUND)
- ⊗ CONCRETE MONUMENT (SET)
- ⊗ CONCRETE MONUMENT (FOUND)
- P.K. NAIL (SET)
- P.K. NAIL (FOUND)
- ⊕ BOLT (FOUND)
- ⊕ STONE (FOUND)
- × REFERENCE POINT

## PLAT OF SURVEY

SECTION 11, TWP. 14, RANGE 19  
FAIRFIELD COUNTY  
CITY OF LANCASTER, OHIO  
LOT 26 GEORGE LUTZ 2nd ADD.  
NOVEMBER 2012

PLANS PREPARED FOR:  
JULIE TAGGART  
LEND LEASE  
111 W. RICH ST., SUITE 280  
COLUMBUS, OHIO 43215  
(614) 621-1375

**Lockwood, Lanier,  
Mathias & Noland, Inc.**

Civil Engineers / Land Surveyors

2475 Sugar Grove Rd. SE  
Lancaster, Ohio 43130  
(740) 687-5542 · Fax (740) 687-0086

This work product was prepared to meet the specific expressed needs of our client and is not to be copied or relied upon by any person who is not in privity of contract with our company, nor is it to be used for any other purpose than that for which it was expressly provided.  
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Exhibit "C"

NOTICE AND AFFIDAVIT TO LANCASTER CLERK OF COUNCIL

Date: Jan 11, 2013

RE: Rezoning Hearing for property located at: the North End of Trace Dr.

Dear Lancaster Clerk of Council:

We are requesting a hearing concerning the property located at the above-captioned address. Please set the hearing at the soonest available date to be held before City Council at the Educational Services Building, 111 S. Broad Street, Lancaster, Ohio.

The proposed zoning change recommended by the Lancaster City Planning Commission for City Council approval seeks to rezone the above property from a RM-3 PUD zoning district to a RM-3 PUD zoning district.

I understand that a public hearing cannot occur until the notice for public hearing can be placed in the Lancaster Eagle Gazette at least thirty (30) days in advance of such hearing. I further understand that the public hearing will likely be held on a regularly scheduled City Council meeting date.

I, the petitioner or agent of the petitioner, hereby swear and affirm that I am providing to you a complete list of landowners that are: (1.) The owners of property within the proposed parcel to be rezoned; (2.) The owners of property contiguous to the parcel to be rezoned; and (3.) The owners of property directly across the street and/or alley from the parcels to be rezoned. I fully understand that if I should fail to notify the Clerk of Council of each and every such landowner that the rezoning approval will likely be reversed.

As the petitioner or agent of the petitioner, I also swear and affirm that the addresses of the below-listed names of landowners I am providing you have been confirmed by me as being correct by the county auditor's current tax list or the county treasurer's mailing list. The names and addresses of all landowners (including spouses) described in the preceding paragraph are as follows:

1. see attached.
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_
6. \_\_\_\_\_

7. \_\_\_\_\_

8. \_\_\_\_\_

9. \_\_\_\_\_

I also fully understand that once I have provided this notice to the Lancaster Clerk of Council that the Clerk will send such notice, as provided in Exhibit E, by first class mail, at least twenty days before the date of the public hearing to the above-listed landowners.

FURTHER AFFIANT SAYETH NAUGHT.

  
Signature of petitioner or agent  
Schorr Architects Inc.

Sworn to before me a Notary Public in and for said County and State on the 10<sup>th</sup> day of January,  
20 13.

  
Notary



SUE A. BENDER, NOTARY PUBLIC  
STATE OF OHIO  
MY COMMISSION EXPIRES MAY 10, 2014

LANCASTER CITY SCHOOL DISTRICT PUD APPLICATION  
CONTIGUOUS PROPERTIES  
GEORGIA A. BARTRAM PROPERTY  
MARY M. GORSUCH PROPERTY

<u>Parcel Number</u>	<u>Owner</u>	<u>Address</u>	<u>Phone No.</u>
053-61954-00	Jane Fetherolf	1786 W. Walnut St. Lancaster, OH 43130	unknown
053-61955-00 053-61956-00	Keith A. & Tracy N. Arledge	1780 W. Walnut St. Lancaster, OH 43130	740-654-4196
053-61957-00	Lance A. Howdysshell	1770 W. Walnut St. Lancaster, OH 43130	unknown
053-61958-00	Amber & Johnathon Lowry	1766 W. Walnut St. Lancaster, OH 43130	unknown
053-61959-00 053-61960-00	Judith B. Thomas	1760 W. Walnut St. Lancaster, OH 43130	740-653-2113
053-61961-00 053-61962-00	Steven D. & Carolyn S. Cook	1750 W. Walnut St. Lancaster, OH 43130	unknown
053-61963-00 053-61964-00	Rex A. & Carol A. George	1736 W. Walnut St. Lancaster, OH 43130	740-653-2347
053-61965-00	Lynn A. Grubb	1730 W. Walnut St. Lancaster, OH 43130	740-687-1701
053-61966-00	Georgia A. Bartram	4900 Julian Road Amanda, OH 43102	740-969-8007
053-6181400	Timothy & Stephanie Cordle	9345 Cemetary Road Stoutsville, OH 43154	unknown
053-61813-00 053-61812-00	Sharon Sopher	1718 W. Walnut St. Lancaster, OH 43130	740-653-8181
053-61811-00 053-61810-00	James Oneill	1710 W. Walnut St. Lancaster, OH 43130	740-653-7384
053-61809-00 053-61808-00	James M., Jr. & Jimel Praither	1706 W. Walnut St. Lancaster, OH 43130	740-689-1127

<u>Parcel Number</u>	<u>Owner</u>	<u>Address</u>	<u>Phone No.</u>
053-61807-00 053-61806-00	Sarah M. Morgan	1702 W. Walnut St. Lancaster, OH 43130	740-277-6808
053-61805-00 053-61804-00	Keith E. Fannin	1630 W. Walnut St. Lancaster, OH 43130	unknown
053-61803-00 053-61802-00	John W. & Judith A. Bobbitt	1622 W. Walnut St. Lancaster, OH 43130	740-654-2027
053-61952-00	Andres S. & Jessica M. Baitzel	1731 W. Walnut St. Lancaster, OH 43130	unknown
053-61953-00	Todd W. Nettles	1726 W. Walnut St. Lancaster, OH 43130	unknown
053-60085-00	Hunter's Hill Ltd. Partnership	330 Trace Dr. Lancaster, OH 43130 and Hanna Building 1422 Euclid Ave., Suite 400, Cleveland, OH 44115	740-653-7722
053-62827-00	Charles R. Roberts	1239 Linda Lane Lancaster, OH 43130	740-654-6199
053-62814-00	Vicki S. Mattox	337 Trace Dr. Lancaster, OH 43130	740-653-7938
053-62813-00	Keith R. & Rebecca A. Numbers	896 Elizabeth Dr. Lancaster, OH 43130	unknown
053-62812-00	Shirley K. Verhey & John & Kimberly Weaver	406 Trace Dr. Lancaster, OH 43130	unknown
053-62811-00	Ruth M. Adkins	905 Elizabeth Dr. Lancaster, OH 43130	unknown
053-62810-00	Thomas C. & Mary E. Spires	370 Short Street Lancaster, OH 43130	740-654-1053
053-62809-00	Amy L. Carbaugh	925 Elizabeth Dr. Lancaster, OH 43130	unknown

<u>Parcel Number</u>	<u>Owner</u>	<u>Address</u>	<u>Phone No.</u>
053-62808-00	William Oatney	935 Elizabeth Dr. Lancaster, OH 43130	740-653-2449
053-62807-00	Derek S. Boch	795 E. Main St. Logan, OH 43138	unknown
053-62806-00	Katherine Kline	947 Elizabeth Dr. Lancaster, OH 43130	unknown
053-62805-00	Kenneth Warner	953 Elizabeth Dr. Lancaster, OH 43130	740-652-1215
053-62804-00	Sanbar, LLC	148 W. Fair Ave. Lancaster, OH 43130	740-654-3425
053-62803-00	Elizabeth A. Grove	967 Elizabeth Dr. Lancaster, OH 43130	unknown
053-62802-00	Louis R. & Rose E. Vamos	973 Elizabeth Dr. Lancaster, OH 43130	740-687-1258
053-62801-00	Rachel L. McCormack	981 Elizabeth Dr. Lancaster, OH 43130	unknown
053-62800-00	Derick M. & D'wan O. Vickroy	991 Elizabeth Dr. Lancaster, OH 43130	unknown
053-62799-00	Jeffrey L. & Romona G. Gilland	1256 Linda Lane, Lancaster, OH 43130	740-654-4646
053-62798-00	Ronald D. & Laura L. Cullums	1250 Linda Lane Lancaster, OH 43130	740-653-8571
053-60085-10	Mary M. Gorsuch	603 W. Wheeling St. Lancaster, OH 43130	740-653-3583
053-63180-00 053-63179-00	Fairfield Homes, Inc.	603 W. Wheeling St. Lancaster, OH 43130	740-653-3583
053-60071-00	Frederick F. Campbell, Bishop of The Roman Catholic Diocese of Columbus	c/o St. Marks Church 324 Gay St. Lancaster, OH 43130	740-653-1229 740-654-7154

Exhibit "D"

**AGENT'S AFFIDAVIT OF COMPLIANCE**

STATE OF OHIO  
COUNTY OF FAIRFIELD

Now comes \_\_\_\_\_, as Petitioner or agent of Petitioner, being first duly sworn, hereby attest to the following:

A.) Notice of the meeting to be held before the Lancaster City Planning Commission to rezone the property described in the attached petition was mailed by me along with a copy of the petition at least 20 days before the date of the public hearing by first class mail to the following individuals:

1. Contiguous landowners to the parcel to be rezoned
2. Landowners directly across the street and/or alley from the parcel to be rezoned
3. Landowners of property within the proposed parcel to be rezoned

B.) As the petitioner or agent of the petitioner, I also swear and affirm that the addresses of the below-listed names of landowners I have sent notice to have been confirmed by me as being correct by the county auditor's current tax list or the county treasurer's mailing list. The names and addresses of all landowners (including spouses) described in the preceding paragraph are as follows:

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_
6. \_\_\_\_\_
7. \_\_\_\_\_
8. \_\_\_\_\_
9. \_\_\_\_\_

FURTHER AFFIANT SAYETH NAUGHT.

\_\_\_\_\_  
Petitioner or agent of petitioner

Sworn to before me a Notary Public in and for said \_\_\_\_\_  
County, and State of \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_,  
20\_\_\_\_.

\_\_\_\_\_  
Notary