

Sponsor: Biggs / R. Peters.

ORDINANCE NO. 48-20

AN ORDINANCE REZONING FROM BUSINESS (B-1) TO SINGLE AND TWO FAMILY RESIDENTIAL (R-3) THE PROPERTY LOCATED AT 63 SOUTH STREET IN THE CITY OF JACKSON, OHIO.

WHEREAS, the legislative authority of the City of Jackson has received a recommendation from the Jackson City Planning Commission, attached hereto, to rezone the area described in Exhibit A, attached hereto, from Business (B-1) to Single and Two Family Residential (R-3); and

WHEREAS, the legislative authority has determined that recommended change in zoning meets the requirements for rezoning for the reasons that: (1) the requested change is in accordance with the City's development goals and objectives; and (2) a rezoning is supported by a substantial change in the area conditions, rendering the original business zoning as functionally obsolete.; and

NOW, THEREFORE, BE IT ORDAINED BY THE LEGISLATIVE AUTHORITY OF THE POLITICAL SUBDIVISION OF THE CITY OF JACKSON, THAT THE AREA DESCRIBED IN EXHIBIT "A", ATTACHED HERETO AND INCORPORATED HEREIN, SHALL BE REZONED FROM BUSINESS (B-1) TO SINGLE AND TWO FAMILY RESIDENTIAL (R-3) ZONING AND THAT THE CHANGE IN THE ZONING SHALL BE REFLECTED ON THE PLANNING AND ZONING MAPS OF THE CITY.

It is hereby found and determined that all formal actions of this Council concerning and relating to adoption of this ordinance were adopted in an open meeting of this Council and the deliberations of this Council and any of its committees that resulted in such formal action were in a meeting open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

PASSED AND ADOPTED by the Legislative Authority of the Political Subdivision on this 28th day of September, 2020.

David C. Fuller
President of Council

ATTEST:

Cinda R. Kuh
Clerk of the Legislative Authority

Approved this 28th day of September, 2020.

Raymond
Mayor

JACKSON CITY PLANNING COMMISSION CITY OF JACKSON, OHIO

IN THE MATTER OF:

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REQUEST OF SETH STOCKMEISTER
AND LINDSEY STOCKMEISTER
FOR REZONING OF PROPERTY
LOCATED AT 63 SOUTH STREET
JACKSON, OHIO

RECOMMENDATION


This matter came for consideration before the Jackson City Planning Commission, on the 11th day of August, 2020 upon the request of the property owners, Seth and Lindsey Stockmeister. Present was Commission Chairman, Pete Bopp, Commission members Rodney Smith, Jon Ondera, and Tony Castina, and Mayor, Randy Evans. Also present was David Swackhammer, City Service / Safety Director and property owners.

Before the Commission was a request from the Seth and Lindsey Stockmeister, the owners of the real property 63 South Street, Jackson, Ohio, that the property be rezoned from B-1 to R-3. The area subject to the request for rezoning is described in their request for rezoning and as attached hereto. Also presented with the request, and attached here, is a certificate from a reputable, practicing attorney in this county, that the legal description is complete and proper, and a list of property owners within 200 feet of the property to be rezoned.

This Commission finds that the request meets the requirements for rezoning for the reasons that: (1) the requested change is in accordance with the City's development goals and objectives; and (2) a rezoning is supported by a substantial change in the area conditions, rendering the original zoning of industrial for that portion of the property as functionally obsolete.

The Commission members present, being of a number sufficient to recommend the requests be approved, unanimously recommend to Jackson City Council that this request for rezoning, be granted.

Dated: 8-11-20



PETE BOPP, Chairperson
Jackson City Planning Commission
City of Jackson, Ohio



William S. Cole • Joseph D. Kirby
Charles A. Kirby • Evan T. Cole
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Phone: 740.286.3735 Fax: 740.288.2161

633 Seventh Street, Suite A, Portsmouth, OH 45662
Phone: 740.353.0177 Fax: 740.353.0191

June 26, 2020

Planning Commission
Pete Bopp
City of Jackson
145 Broadway Street
Jackson, OH 45640

Re: Zoning of 63 South Street, Jackson, Ohio

Dear Mr. Bopp,

On behalf of Seth and Lindsey Stockmeister, we are seeking to change the real estate enclosed herein and described as "Exhibit A" from B1 to R3. This zoning will be consistent with the area's development.

Also enclosed is an opinion letter of an attorney who practices in Jackson County, which states that the enclosed "Exhibit A" is a complete, proper legal description of the property to be rezoned.

Lastly, enclosed as "Exhibit B" is a list containing the names of all properties within 200 feet of the property.

Sincerely,

Evan T. Cole, Esq.

ETC/etc
Enclosures



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City of Jackson
145 Broadway Street
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Re: Zoning of 63 South Street, Jackson, Ohio

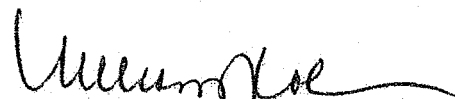
To Whom It May Concern,

I am an attorney licensed to practice law in the State of Ohio and regular practice law in the State of Ohio and regularly practice real estate law in Jackson, County, Ohio.

I have reviewed the attached legal description and it is a complete, proper legal description.

Should you have any questions, please contact the undersigned.

Very truly yours,



William S. Cole, Esq.

WSC/wc
Enclosure