

Sponsor: Ondera/Bopp.

**ORDINANCE NO. 29-22**  
**(Amended for new property description)**

**AN ORDINANCE REZONING FROM INDUSTRIAL (I) TO (O) PROPERTY OWNED BY THE JACKSON HISTORICAL SOCIETY AND LOCATED AT 320 E. BROADWAY IN THE CITY OF JACKSON, OHIO AND DECLARING AN EMERGENCY.**

WHEREAS, the legislative authority of the City of Jackson has received a recommendation from the Jackson City Planning Commission, to rezone the area described in the attachments hereto (Exhibit "A"), from Industrial (I) to (O) zoning; 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 zoning as functionally obsolete.; and

WHEREAS, this matter constitutes an emergency as immediate action to rezone the property is necessary to permit the further development and construction on the property before the end of the current construction season and which will be beneficial to the City of Jackson and is necessary for the protection of the health and safety of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE LEGISLATIVE AUTHORITY OF THE POLITICAL SUBDIVISION OF THE CITY OF JACKSON:

SECTION 1: That the area described in Exhibit "A", attached hereto and incorporated herein, shall be rezoned from Industrial (I) to (O) zoning and that the change in the zoning shall be reflected on the planning and zoning maps of the city.

SECTION 2: This Ordinance is hereby declared to be an emergency Ordinance necessary for the immediate preservation of the public peace, health and safety of the City of Jackson for the reasons set forth herein. Therefore, this Ordinance shall go into effect upon passage and as provided in Ohio Revised Code Section 731.30.

SECTION 3: In the event this Ordinance receives a majority vote for passage but fails to receive the required number of votes to pass as an emergency, then this Ordinance shall be deemed to have passed but with no emergency clause and shall take effect at the earliest time permitted by law.

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 8<sup>th</sup>  
day of August, 2022.

David J. Fulk  
President of Council

ATTEST:

Cindi R. Kuhn  
Clerk of the Legislative Authority

Approved this 8<sup>th</sup> day of August, 2022.

RADONMAS  
Mayor

## **Exhibit A**

Situated in the City of Jackson, Jackson County, Ohio, and being the north half of In Lot Number 124 and the north half of In Lot Number 137 in the City of Jackson.

The Auditor's Parcel Numbers are H14-008-00-176-01, H14-008-00-176-02, H14-012-00-079-00, part H14-012-00-080-00 and part H14-012-00-081-00.

The street address is 320 East Broadway Street, Jackson, Ohio.

**EXHIBIT B**

**COLE KIRBY & ASSOCIATES, LLC**

227 E. Main Street  
Jackson, Ohio 45640  
740-286-3735

July 12, 2022

Planning Commission  
c/o David Swackhammer, Service Director  
City of Jackson  
145 Broadway Street  
Jackson, OH 45640

Re: Rezoning

Dear Mr. Swackhammer:

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

I have reviewed the legal description set forth in revised Exhibit A to the rezoning application of Jackson Historical Society. Revised Exhibit A constitutes a complete, proper and lawful legal description of the real property to be rezoned.

Sincerely,

A handwritten signature in black ink, appearing to read "William S. Cole". The signature is fluid and cursive, with a long horizontal stroke at the end.

William S. Cole, Esq.