

Sponsor: Peters/Ondera

**ORDINANCE NO. 28-22**

**AN ORDINANCE REZONING FROM INDUSTRIAL (I) TO BUSINESS (B-3) A 5.491 PARCEL OWNED BY JACKSON GRANDVIEW BUILDERS, INC. AND LOCATED ON ACY AVENUE 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 (Exhibits "A" and "B"), from Industrial (I) to Business (B-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 zoning as functionally obsolete.; and

WHEREAS, this matter constitutes an emergency as immediate action to rezone the property is necessary to permit the development of business property 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" and "B", attached hereto and incorporated herein, shall be rezoned from Industrial (I) to Business (B-3) 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 25<sup>th</sup>  
day of July, 2022.

  
President of Council

ATTEST:

  
Clerk of the Legislative Authority

Approved this 25<sup>th</sup> day of July, 2022.

  
Mayor



# EXHIBIT B

## MCCARTY ASSOCIATES, LLC

ARCHITECTS—ENGINEERS—SURVEYORS

HILLSBORO ————— WASHINGTON C.H. ————— LOVELAND

213 N. HIGH ST., HILLSBORO, OHIO 45133 PH 937-393-9971 FAX 937-393-2480  
Michael L. McCarty, P.E., P.S. — Thomas E. Purcell, P.S. — Jason C. McCosmughy, P.S. — Douglas L. Kames, AIA

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File No. S21-332  
April 27, 2022

### LEGAL DESCRIPTION

Jackson Grandview Builders Inc.  
5.491 Acres

Situated in the City of Jackson, Township of Salt Lick, County of Jackson, State of Ohio, being a part of Scioto Salt Reserve Lots 91 and 92, Township 7N, Range 18W, being part of an original a 175.983 acres "Tract 1" as conveyed to Jackson Grandview Builders Inc. and recorded in Official Record 101, Page 811 of the Jackson County Recorder's Office, and being further bounded and described as follows:

Commencing at a monument box (found) marking the centerline intersection of Brian's Way and Acy Avenue (JAC-C.R. 9-0.12);

thence with the centerline of Acy Avenue for the next 3 calls:

- 1) N 84°20'51" W, a distance of 32.01 feet to a monument box (found);
- 2) with a curve to the right, having an arc length of 223.04 feet, a radius of 327.40 feet, and a chord bearing N 64°49'52" W, a distance of 218.75 feet to a monument box (found);
- 3) N 45°18'54" W, a distance of 70.71 feet to a point;

thence leaving said centerline S 44°41'26" W, a distance of 24.75 feet to a 5/8" iron pin (found) in the southwesterly line of Acy Avenue marking the northerly most corner of a 5.510 acres

tract as conveyed to Hubbell Boeing Corporation (O.R. 123, Page 1671), said iron pin being the true point of beginning of the tract of land herein described and having Ohio State Plane Coordinates Northing 377,383.538 feet, Easting 1,939,062.803 feet South Zone and based upon NAD 83 (2011);

thence with the northwesterly line of the aforesaid 5.51 acres tract S 44°41'26" W passing a 5/8" iron pin (found) at 600.33 feet marking the westerly most corner of said 5.51 acres tract and continuing with a new division line through the 28.663 acres "Tract 2" of which this is a part, a total distance of 681.73 feet to a 5/8" iron pin (set);

thence with another new division line N 44°17'30" W, a distance of 382.74 feet to a 5/8" iron pin (set);

thence continuing with another new division line N 49°47'50" E, a distance of 677.48 feet to a 5/8" iron pin (set) in the southwesterly line of Acy Avenue;

thence with the southwesterly line of Acy Avenue S 45°20'03" E, a distance of 322.37 feet to the point of beginning, containing 5.491 acres of land.

The above described 5.491 acres tract contains 0.819 acre of Auditor's Parcel No. H140010103505 and 4.672 acres of Auditor's Parcel No. H140010103701.

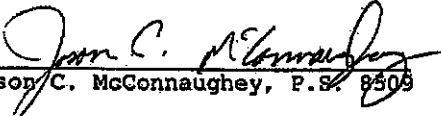
Subject to all other legal easements and rights of way of record.

Bearings are based upon the Grid Azimuth (Az 307° 02' 35.4") National Geodetic Survey CORS Station "GALP" and McCarty Associates Geodetic Survey Control Monument "3002" and derived from GPS observations taken March 4, 2022, utilizing the Trimble ODOT CORS VRS (Virtual Reference System).

Land surveyed in March 2022, under the direction of Jason C. McConnaughey, Professional Surveyor No. 8509, the survey plat of which is referred to as Drawing No. S21-332 on file in the office of McCarty Associates, Hillsboro, Ohio.

All iron pins (set) are 5/8" diameter by 30" length with 1-1/4" diameter plastic caps stamped "McCARTY ASSOCIATES".



  
Jason C. McConnaughey, P.S. 8509

The description and plat is approved for accurate  
mathematical closure and/or proper platting references.

 5-2-22  
COUNTY ENGINEER DATE