

Ordinance No. 7651

AN ORDINANCE ESTABLISHING PERMANENT ZONING OF LANDS NEWLY ANNEXED TO THE CITY

Whereas, multiple territories have been annexed to the City and accorded temporary zoning by operation of law; and,

Whereas, Planning Commission studied the existing uses of land within and adjacent to each territory and recommended that all lands within each territory be accorded the district designation that most closely conforms to the existing uses of developed properties within the territory; and,

Whereas, Council conducted a public hearing as required by law and concurs with the recommendations of the Planning Commission with respect to each territory; and,

Whereas, Council finds that the recommended zoning is sufficiently compatible with land uses permitted by township zoning of neighboring properties as to not require the establishment of any buffer zone;

Now therefore, be it enacted by the Council of the Municipality of Defiance, Ohio, that:

Section 1: All lands annexed to the City of Defiance by Ordinances: 7553, 7558, 7559, 7560, 7561, 7564, 7565, 7566, 7567, 7576, 7578, 7606, 7627 and 7628 are Zoned B-3, Highway and General Business.

Section 2: All lands annexed to the City of Defiance by Ordinances 7575 and 7622 are Zoned R-2, Medium Density Residential.

Section 3: The Zoning Commissioner is directed to make all changes to the District Map required to implement this Ordinance.

Section 4: It is found and determined that all legislative actions pertaining to the adoption of this Ordinance were taken in Public Session and that all deliberations that affected or influenced any such legislative act, including all deliberations in Committee, were conducted in Public Session duly convened in accordance with law.

Section 5: This Ordinance shall be effective on the earliest date permitted by law.

Passed: August 19 _____, 2014

Mike McCann _____
President of Council

Attest: Lisa Elders _____, Clerk

Approved: August 19 _____, 2014

Bob Armstrong _____
Mayor

RESOLUTION No. 2472

A RESOLUTION DECLARING THE SERVICES TO BE PROVIDED TERRITORY PROPOSED FOR ANNEXATION, ESTABLISHING ZONING RESTRICTIONS PERTAINING THERETO AND DECLARING AN EMERGENCY

Whereas, A Petition seeking to annex the West 37.67 feet of Lot 57, the entirety of Lot 58 and the East 8.33 feet of Lot 59 in and of the Saunders-Snyder Addition located in Section 30, Richland Township, Defiance County, Ohio, to the City of Defiance; and,

Whereas, Revised Code Section 709.023(C) requires Council to adopt a Resolution declaring the services to be provided the territory upon annexation and file the same with the Board of County Commissioners within 20 days following the filing of the Petition;

Now therefore, be it resolved by the Council of the Municipality of Defiance, Ohio, that:

Section 1: The City of Defiance consents to approval of the aforesaid Petition by the Board of County Commissioners and will maintain any street or road divided or segmented by the annexation.

Section 2: Lands described by the Petition will be provided all customary general governmental and utility services in the same manner and on the same terms and conditions as are applicable to the provision of like-kind services to other lands within the territorial boundaries of the municipality. In-City rates for water and sewer services furnished to existing consumers located within the territory will take effect on the first day of the first billing cycle beginning after the effective date of the annexation. Billing and payment dates previously established for each consumer will not be altered and charges accrued during the billing cycle in which the annexation takes effect will not be prorated to the date on which the annexation takes effect.

Section 3: In the event land within the annexation territory is accorded a municipal zoning designation that permits the land to be used in a manner that is clearly incompatible with the uses permitted by township zoning of adjacent lands, Council will provide for the establishment of a buffer conforming to the requirements of Ohio Revised Code Section 709.23(C) in the Ordinance establishing the municipal zoning district.

Section 4: It is found and determined that all legislative actions pertaining to the adoption of this Resolution and all deliberations that affected or influenced all such legislative acts, including all deliberations in Committee, were conducted in Public Session duly convened in accordance with law.

Section 5: This Resolution is declared to be an emergency measure necessary to the preservation of the health, safety and welfare of the community for the reason that statutory law requires this Resolution to be promptly filed with the Board of County Commissioners. As such, this Ordinance shall be effective immediately upon passage by an affirmative vote of not less than 5 Members of Council and approval of the Mayor.

Passed: August 19 _____, 2014

Mike McCann _____
President of Council

Votes Approving Adoption: 7 _____
Votes Opposing Adoption: 0 _____

Attest: Lisa Elders _____, Clerk

Approved: August 19 _____, 2014

Bob Armstrong _____
Mayor