

ORDINANCE NO. 04-15

CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMEMBER John Beals ON THE  
20<sup>th</sup> DAY OF April, 2015.

AN ORDINANCE AMENDING ORDINANCE NUMBER 14-08, CHAPTER 1216, THE UNIFIED DEVELOPMENT ORDINANCE, AS AMENDED, TO REZONE 6.0020 ACRES OF LAND, MORE OR LESS, LOCATED AT 716 E. FRANKLIN STREET, FROM I-PD, INDUSTRIAL PLANNING DEVELOPMENT ZONE CLASSIFICATION, TO O-S, OFFICE-SERVICE ZONE CLASSIFICATION.

THE MUNICIPALITY OF CENTERVILLE HEREBY ORDAINS:

Section 1. The Official Zoning Map attached to Ordinance Number 14-08, Chapter 1216, Article 7 of the Unified Development Ordinance, passed on the 15th day of December, 2008, and as subsequently amended, be, and the same hereby is amended to rezone 6.0020 acres of land, more or less, located at 716 E. Franklin Street from I-PD, Industrial Planning Development zone classification, to O-S, Office-Service zone classification. A map defining the area is marked Exhibit "A", attached hereto and incorporated herein.

Section 2. The zoning map of the City of Centerville, Ohio, shall be revised to reflect these adjustments.

Section 3. This ordinance shall take effect and be in force at the earliest date provided by law.

PASSED THIS 20<sup>th</sup> day of April, 2015.



Mayor of the City of  
Centerville, Ohio

ATTEST:

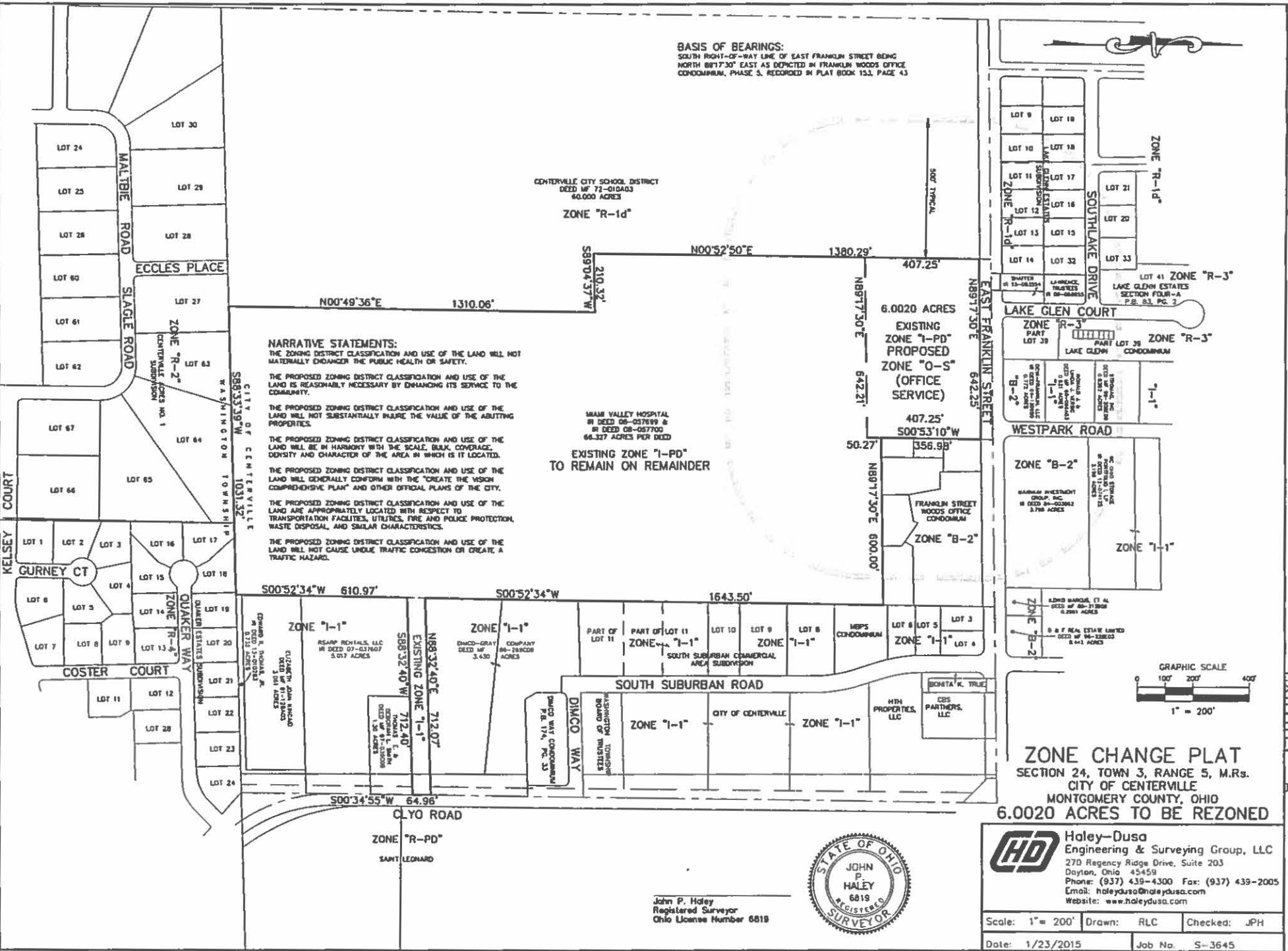
Debra A. James  
Clerk of Council  
City of Centerville, Ohio

CERTIFICATE

The undersigned, Clerk of Council of the City of Centerville, Ohio, hereby certifies the foregoing to be a true and correct copy of Ordinance No. 04-15, passed by the Council of the City of Centerville, Ohio on the 20<sup>th</sup> day of April, 2015.

Debra A. James  
Clerk of the Council

Approved as to form, consistency with the  
Charter and Constitutional Provisions.  
Department of Law  
Scott A. Liberman  
Municipal Attorney



**BASIS OF BEARINGS:**  
 SOUTH RIGHT-OF-WAY LINE OF EAST FRANKLIN STREET BEING  
 NORTH 89°17'30" EAST AS DEPICTED IN FRANKLIN WOODS OFFICE  
 CONDOMINIUM, PHASE 3, RECORDED IN PLAT BOOK 153, PAGE 43

**NARRATIVE STATEMENTS:**  
 THE ZONING DISTRICT CLASSIFICATION AND USE OF THE LAND WILL NOT MATERIALLY ENDANGER THE PUBLIC HEALTH OR SAFETY.  
 THE PROPOSED ZONING DISTRICT CLASSIFICATION AND USE OF THE LAND IS REASONABLY NECESSARY BY ENHANCING ITS SERVICE TO THE COMMUNITY.  
 THE PROPOSED ZONING DISTRICT CLASSIFICATION AND USE OF THE LAND WILL NOT SUBSTANTIALLY INJURE THE VALUE OF THE ADJUTING PROPERTIES.  
 THE PROPOSED ZONING DISTRICT CLASSIFICATION AND USE OF THE LAND WILL BE IN HARMONY WITH THE SCALE, BULK, COVERAGE, DENSITY AND CHARACTER OF THE AREA IN WHICH IS IT LOCATED.  
 THE PROPOSED ZONING DISTRICT CLASSIFICATION AND USE OF THE LAND WILL GENERALLY CONFORM WITH THE "CREATE THE VISION COMPREHENSIVE PLAN" AND OTHER OFFICIAL PLANS OF THE CITY.  
 THE PROPOSED ZONING DISTRICT CLASSIFICATION AND USE OF THE LAND ARE APPROPRIATELY LOCATED WITH RESPECT TO TRANSPORTATION FACILITIES, UTILITIES, FIRE AND POLICE PROTECTION, WASTE DISPOSAL, AND SIMILAR CHARACTERISTICS.  
 THE PROPOSED ZONING DISTRICT CLASSIFICATION AND USE OF THE LAND WILL NOT CAUSE UNLAWFUL TRAFFIC CONGESTION OR CREATE A TRAFFIC HAZARD.

MIAMI VALLEY HOSPITAL  
 DEED 06-057899 &  
 DEED 08-057700  
 66.327 ACRES PER DEED  
**EXISTING ZONE 'I-PD'**  
**TO REMAIN ON REMAINDER**

**ZONE CHANGE PLAT**  
 SECTION 24, TOWN 3, RANGE 5, M.R.S.  
 CITY OF CENTERVILLE  
 MONTGOMERY COUNTY, OHIO  
**6.0020 ACRES TO BE REZONED**



John P. Haley  
 Registered Surveyor  
 Ohio License Number 6819

**Haley-Dusa**  
 Engineering & Surveying Group, LLC  
 270 Regency Ridge Drive, Suite 203  
 Dayton, Ohio 45459  
 Phone: (937) 439-4300 Fax: (937) 439-2005  
 Email: haleydusa@haleydusa.com  
 Website: www.haleydusa.com

Scale: 1" = 200' Drawn: RLC Checked: JPH  
 Date: 1/23/2015 Job No. S-3645

EXHIBIT "A"



# Haley-Dusa Engineering & Surveying Group, LLC

DESCRIPTION OF  
6.0020 ACRES TO BE RE-ZONED  
PROPOSED LOT 1, PREMIER MVH PLAT  
SECTION 24, TOWN 3, RANGE 5, M.Rs.  
CITY OF CENTERVILLE, MONTGOMERY COUNTY, OHIO

Situate in Section 24, Town 3, Range 5, M.Rs., City of Centerville, Montgomery County, Ohio, being all of Lot 1 of proposed Premier MVH Plat, more particularly described as follows: (all references to deed books, official records, microfiche numbers, instrument numbers, survey records and/or plats refer to the Montgomery County, Ohio Recorder's Office)

Point of Beginning being the northwest corner of Franklin Street Woods Office Condominium, Phase Five as recorded in Plat Book 153, Page 43, said point being in the south right-of-way line of East Franklin Street;

Thence with the west line of said Phase Five, the west line of Franklin Street Woods Office Condominium, Phase 10 as recorded in Plat Book 166, Page 43 and the west line of Franklin Street Woods Office Condominium, Phase 12 as recorded in Plat Book 176, Page 7, **South 00°53'10" West**, passing the southwest corner of said Phase 12 at 356.98 feet, a total distance of **407.25 feet** to a point;

Thence **South 89°17'30" West**, a distance of **642.21 feet** to a point in the east line of a 60.000-acre parcel of land conveyed to Centerville City School District by deed recorded in Deed MF 72-010A03;

Thence with the east line of said 60.000-acre parcel, **North 00°52'50" East**, a distance of **407.25 feet** to a point in the south right-of-way line of aforesaid East Franklin Street;

Thence with said south right-of-way line, **North 89°17'30" East**, a distance of **642.25 feet** to the Point of Beginning.

Containing **6.0020 acres**, more or less.

Basis of Bearings: South right-of-way line of Franklin Street Woods Office Condominium, Phase Five as recorded in Plat Book 153, Page 43.

*John P. Haley*



**North Office**  
270 Regency Ridge Drive, Suite 203  
Dayton, Ohio 45459  
Phone: (937) 439-4300 Fax: (937) 439-2005

**South Office**  
P.O. Box 684  
Cincinnati, Ohio 45201-0684  
Phone: (513) 241 - 6011 Fax: (513) 241 - 6311



*C. Mark Kingseed, Mayor*  
*Gregory B. Horn, City Manager*

**NOTICE OF PUBLIC HEARING**  
Centerville City Council  
Case 2015-0011

Notice is hereby given that there will be a Public Hearing on Monday, April 20, 2015, during the City Council Meeting beginning at 7:30 p.m. in the Council Chambers of the Centerville Municipal Building, 100 West Spring Valley Road, Centerville, Ohio, concerning a rezoning request by John Haley of Haley-Dusa Engineering and Surveying Group, LLC. Mr. Haley has requested that 6.0020 acres of land, more or less, owned by Miami Valley Hospital at 716 E. Franklin Street, be rezoned from I-PD, Industrial-Planned Development, to O-S, Office-Service, zoning classification. The location is further identified as Parcel ID Number O68 00304 0007.

The application, the zoning map and other related documents are available for review in the Planning Department of the Municipal Building.

By order of the Council of the City of Centerville, Ohio.

Debra A. James  
Clerk of Council