

RECORD OF ORDINANCES

ORDINANCE 63-2023

ORDINANCE REGARDING LAND USE AND BUFFERS FOR REAL PROPERTY PROPOSED FOR ANNEXATION FILED BY ATTORNEY ERNEST E. COTTRELL, JR. ON BEHALF OF PHILLIP SCHOBBER, PHILLIP D. SCHOBBER AND SCHOBBER RENTALS NO. 2 LLC; AND DECLARING AN EMERGENCY.

WHEREAS, on September 15, 2023, a Petition was filed for the Expedited Type 2 Annexation for the real property currently located in Clay Township, Ottawa County, Ohio and fully described in attached Exhibit A, consisting of approximately 230.911 acres of land, located south of State Route 163; and

WHEREAS, the Ohio Revised Code 709.023(C) provides for buffers separating annexed territory and adjacent land remaining in the township; and

WHEREAS, the Zoning for the entire 230.911 acres would come into the Village of Genoa zoned as M-4 Industrial Manufacturing Development District.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF GENOA, OTTAWA COUNTY, OHIO THAT:

SECTION 1. If annexation of the real property described in Exhibit A is approved, the zoning shall be classified as M-4 Industrial Manufacturing Development District.

SECTION 2. If the territory is annexed and becomes subject to zoning by the Village of Genoa, and the Village zoning permits uses in the annexed territory that the Village determines is clearly incompatible with the uses permitted under current county or township zoning regulations in the adjacent land remaining within the township from which the territory was annexed, the Village will require, in the zoning ordinance permitting the incompatible uses, the owner of the annexed territory to provide a buffer separating the use of the annexed territory and the adjacent land remaining within the township. For the purposes of this section, "buffer" includes open space, landscaping, fences, walls, and other structured elements; streets and street rights-of-way; and bicycle and pedestrian paths and sidewalks.

SECTION 3. It is found and determined that all formal actions of council concerning or relating to the passage of this Ordinance were adopted in an open meeting of the Council, and that all deliberations of this Council and any of its committees, that resulted in such formal actions, were in meetings open to the public in compliance with all legal requirements of the Village of Genoa and Section 121.22 of the Ohio Revised Code.

SECTION 4. This ordinance shall take effect as an emergency measure necessary because allowing economic growth in the Village helps protect the health, safety and welfare of our citizens and shall be in full force from and immediately after its passage.

RECORD OF ORDINANCES

RECOR

Vote to suspend rules:

For: 6 Against: 0

Vote on emergency clause:

For: 6 Against: 0

Vote on final adoption:

For: 6 Against: 0

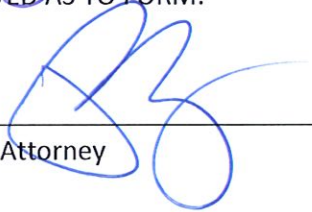
ADOPTED 9-18-23 As an emergency measure.

ATTEST:


Clerk of Council


President of Council

APPROVED AS TO FORM:


Village Attorney

APPROVED:


Mayor

FISCAL OFFICER'S CERTIFICATE AS TO PUBLICATION

This is to certify that publication was duly made as provided in Ordinance 67-2017 adopted by the following method:

By posting certified copies thereof in the six (6) public places specified in Section 105.01 of the Codified Ordinances of the Village of Genoa, and by Ordinance 67-2017, said posting having been accomplished on the following date: 9-19, 2023


Fiscal Officer