

VILLAGE OF GRAFTON
ORDINANCE NO. 18-012

INTRODUCED BY:

MOTION BY: STRAH

SECONDED BY: KITTS

AN ORDINANCE PROVIDING FOR THE AMENDMENT OF THE ZONE MAP OF THE VILLAGE OF GRAFTON BY CHANGING THE ZONING OF CERTAIN LAND LOCATED WITHIN THE VILLAGE OF GRAFTON FROM SINGLE-FAMILY, LOW DENSITY RESIDENTIAL (R-1A) TO LIGHT INDUSTRIAL (LI)

WHEREAS, the Village of Grafton owns two parcels of real property (hereinafter, the "Property") which are more fully described in the legal descriptions attached hereto as Exhibit "A"; and

WHEREAS, with the exception of any portion(s) of such Property which is/are located in Eaton Township, it is the Village of Grafton's intention to rezone the Property; and

WHEREAS, in accordance with the Village of Grafton's plans for future economic development, and based upon Council's adoption of the recommendation of the Village Planning Commission, Council intends to rezone all portions of the Property located within the Village of Grafton, from Single-Family Low Density Residential (R1-A) to Light Industrial (LI); and

WHEREAS, in accordance with the provisions of Section 1244.01 *inter alia.*, of the Village of Grafton's Codified Ordinances, and based upon the adoption of the recommendation of Planning Commission, Council has determined that the Property should be re-zoned.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Grafton, County of Lorain, and State of Ohio:

Section 1. That, upon Council's adoption of Planning Commission's recommendation that the Property be rezoned, and after a public hearing thereon, notice of which has been given pursuant to Section 14 of Article IV of the Charter of this Village entitled, "The Council - Enactment of Zoning Ordinances and Regulations," and, after its passage pursuant to the Charter of this Village and its approval by the Mayor of the Village of Grafton, the Zone Map of the Village of Grafton is hereby amended, and as amended shall be and the same is hereby revised, by changing the zoning of all portions of the Property located within the Village of Grafton from Single-Family Low Density Residential (R1-A) to Light Industrial (LI), which land is fully described in Exhibit "A" attached hereto and made a part hereof.

Section 2. That, the Clerk-Treasurer be and she is hereby directed to cause a notice of Public Hearing hereon to be given pursuant to the provisions of Section 14 of Article IV of the Charter of this Village.

Section 3. That, the Zone Map of the Village of Grafton shall be amended so that when amended said Zone Map will disclose that all portions of the Property located within the Village of Grafton, as referenced in Section 1 hereof, and which Property is fully described in Exhibit "A" attached hereto, shall be revised by changing the zoning of said described land from Single-Family Low Density Residential (R1-A) to Light Industrial (LI) and that said portions of parcels of land may thereafter be used in accordance with the use of the District permitted by the Zoning Code of the Village of Grafton.

Section 4: That, it is 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 that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements.

Section 5. That, this Ordinance shall be in full force and effect from and immediately after the earliest date allowed by law.

Referred to Planning Commission: 6-19-2018
Report of Planning Commission on: 6-19-18
The Planning Commission 8-21-2018
Council: 8-21-2018
First Reading: 6-19-2018
Second Reading: 7-17-2018
Public Hearing: 8-21-2018
Third Reading: 8-21-2018

Robert F. Fischer
PRESIDENT OF COUNCIL

8/22/18
DATE PASSED

Jim Dwyer
MAYOR

8-21-18
DATE APPROVED

Mike R. Barnhart
CLERK-TREASURER

8-21-18
DATE ATTESTED

APPROVED AS TO FORM BY: *Gretchen A. Holderman*
GRETCHEN A. HOLDERMAN, LAW DIRECTOR

EXHIBIT A

PARCEL 1

Situated in the Village of Grafton, Lorain County, Ohio, and being part of Original Lots 37, 38, 43, and 44 of Township 5 North, Range 16 West, in Eaton Township, and part of 30.00 acres of parcel of land and a 7.00 acres parcel of land and a 42.00 acres parcel of land described in Deed Volume 186, Page 371, and part of 2.25 acres of land described in Deed Volume 186, Page 372, as conveyed to the State Of Ohio, and part of 50.50 acres of land described in Deed Volume 433, Page 358 , as conveyed to Ohio Department Of Public Welfare, and more particularly described as follows:

BEGINNING in the centerline of South Island Road at a monument box found marking the southeast corner of said Original Lot 37 and the northeast corner of Original Lot 38;

- 1) Thence on and along the centerline of South Island Road and the east line of said Original Lot 38, S 0° 00' 11" W, a distance of 1121.49 feet to a monument box found at the intersection of Capel Road;
- 2) Thence on and along the centerline of Capel Road, S 89° 57' 49" W, a distance of 5057.55 feet to the southeasterly line of CSX Rail Road;
- 3) Thence on and along said southeasterly line of CSX Rail Road, N 54° 50' 01" E, a distance of 4627.48 feet to an iron pipe found at the most westerly corner of Lorain County Auditor Parcel 1100037000004, identified as Eaton Township Trustees land, no record legal description found;
- 4) Thence on and along the southwesterly line of said Eaton Township Trustees, S 79° 41' 07" E, a distance of 1296.01 feet to a Mag Nail set on the east line of said Original Lot 37 and on the centerline of South Island Road, passing an iron pin found 1265.88 feet;
- 5) Thence on and along the centerline of South Island Road and said east line of Original Lot 37, S 0° 00' 55" W, a distance of 1308.44 feet returning to the point of BEGINNING.

Containing in all 190.144 acres more or less, of which 4.551 acres is existing road right of way, and described further as

74.951 acres is within Original Lot 37,
64.238 acres is within Original Lot 38,
42.863 acres is within Original Lot 43,
8.092 acres is within Original Lot 44.

Bearings are based on an assumed meridian and used for angular measurements only.

Iron pins set are 5/8" x30" steel rods with a yellow cap stamped "Poggemeyer Design Group Survey Marker".

This description is based on an actual field survey done by Poggemeyer Design Group and was prepared by Kevin Canavan P.S., surveyor number S-7448.

PARCEL 2

Situated in the Village of Grafton, Lorain County, Ohio, and being part of Original Lots 42 and 43 of Township 5 North, Range 16 West, in Eaton Township, and part of 80.00 acres of land described in Deed Volume 186, Page 371, and part of 30.00 acres parcel of land and a 97.00 acres parcel of land described in Deed Volume 186, Page 373, as conveyed to the State of Ohio, and more particularly described as

follows:

COMMENCING on the centerline of South Island Road and on the east line of Original Lot 38 at a monument box at the intersection of the centerline of Capel Road;

Thence on and along the centerline of Capel Road, S 89° 57' 49" W, a distance of 1,767.39 feet to a Mag Nail set at the TRUE POINT OF BEGINNING, passing a Mag Nail found 1178.84 feet and 1423.87 feet;

- 1) Thence S 1° 28' 30" W, a distance of 1754.86 feet to an iron pin set on the south line of Original Lot 37 and on the north line of Original lot 38;
- 2) Thence S 0° 12' 22" E, a distance of 880.83 feet to an iron pin set, passing an iron pin set at 640.12 feet;
- 3) Thence N 88° 40' 21" W, a distance of 3526.04 feet to a Mag Nail Set on the west line of said Original Lot 42, passing at 752.12 feet and iron pin set on the west line of Original Lot 39 and on the east line of Original Lot 42;
- 4) Thence on and along the west line of Original Lot 42, N 0° 11' 43" W, a distance of 801.39 feet to a mag Nail set at a dug hole found, marking the northwest corner of Original Lot 42 and the southwest corner of Original Lot 43;
- 5) Thence on and along the west line of Original Lot 43, N 0° 10' 19" E, a distance of 1,556.19 feet to a Mag Nail set at the southeasterly line of CSX Rail Road;
- 6) Thence on and along the southeasterly line of CSX Rail Road, N 54° 50' 01" E, a distance of 336.40 feet to an iron pin set;
- 7) Thence continuing on and along the centerline of Capel Road, N 89° 57' 49" E, a distance of 3,290.16 feet returning to the TRUE POINT OF BEGINNING;

Containing in all 210.017 acres more or less, of which 4.298 acres is existing road right of way, and described further as

30.876 acres in within Original Lot 38
15.013 acres is within Original Lot 39
52.972 acres is within Original Lot 42
111.156 acres is within Original Lot 43

Bearings are based on an assumed meridian and used for angular measurements only.

Iron pins set are 5/8" x30" steel rods with a yellow cap stamped "Poggemeyer Design Group Survey Marker".

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