

VILLAGE OF BEAVERDAM, ALLEN COUNTY, OHIO

ORDINANCE NO. 2017-21

AN ORDINANCE ESTABLISHING AND AMENDING  
THE ZONING DISTRICT OF PROPERTY LOCATED  
AT 400 NORTH NELSON LANE, BEING PARCEL #28310503015000  
IN THE VILLAGE OF BEAVERDAM, ALLEN COUNTY, OHIO AND DECLARING AN  
EMERGENCY

WHEREAS, certain real property described in Exhibit "A" attached hereto and made a part of this Ordinance ("the Property") located within the Village of Beaverdam, Ohio ("Village"), is the proposed site of an expanded tank farm, and

WHEREAS, the Property is zoned Residential 1 under the Village of Beaverdam Zoning Code; and

WHEREAS, an application has been received from GLL Commercial Holdings, LLC, owner of the property, requesting a change in zoning to Manufacturing 2; and

WHEREAS, the Village Planning Commission ("Planning Commission") has recommended that the zoning district of the Property described in Exhibit "A" be amended from Residential 1 under the Village of Beaverdam Zoning Code and established under the Village of Beaverdam Zoning Code as Manufacturing 2; and

WHEREAS, the Planning Commission held a public hearing, according to notice; and

WHEREAS, the Planning Commission has recommended approval of the proposed establishments and amendments of the zoning district in connection with the Property and has recommended to the Village Council that the proposed establishments and amendments of the zoning district be approved and accomplished; and

WHEREAS, the Village Council, pursuant to R.C. 713.12 and Section 17.10 of the Village of Beaverdam Zoning Code conducted a public hearing on the proposed establishment and amendment of the zoning district on the 5th day of July, 2017, and

WHEREAS, the Village Clerk of Council, pursuant to R.C. 713.12, gave notice to the owners of the Property and the owners of those properties contiguous to and directly across the street from the Property by first class mail, at least twenty (20) days prior to the date of the public hearing and further caused notice of the hearing to be published in the *Lima News* on the 1st, day of

June, 2017, the 2nd day of June, 2017 and the 3rd day of June, 2017; and

WHEREAS, the text of this Ordinance, together with any maps, plans or exhibits which are a part hereof or are referred herein, were on file in the office of the Village Clerk for public examination during the thirty (30) days immediately prior to the hearing held by the Village Council.

NOW, THEREFORE, be it ordained by the Council of the Village of Beaverdam, at least a majority of the members elected thereto, concurring herein:

#### SECTION I.

The Planning Commission's recommendation in connection with the establishment and amendment of the zoning district classification of the Property described in Exhibit "A" from Residential 1 under the Beaverdam Zoning Code to Manufacturing 2, is hereby accepted, adopted and approved, as presented.

#### SECTION II.

The zoning district of the Property shall be and is hereby established and amended by changing the zoning classification of the Property described in Exhibit "A" from Residential 1 under the Beaverdam Zoning code to Manufacturing 2.

#### SECTION III.

The Village Zoning Inspector shall be and is hereby directed to make the appropriate change on the original zoning map, as it may have been amended from time to time, in the Village of Beaverdam Administration Building and provide notice of the zoning change to the Allen County Regional Planning Commission.

#### SECTION IV.

The remaining portions of the zoning map of the Village of Beaverdam as such map may have been amended from time to time, shall remain in full force and effect.

#### SECTION V.

This Ordinance is deemed an emergency measure necessary for the preservation of the public health, safety and welfare, and for the further reason to comply with Section 17.11 of the Zoning Ordinance, which requires the Village Council to act within twenty (20) days of the public hearing on the proposed amendment, and this Ordinance shall be in full force and effect immediately after its passage; otherwise, it shall take effect and be in force after the earliest period allowed by law.

Passed this 5th day of July, 2017

Vote: For 6 Against 0

Roberta Beemer  
Roberta Beemer, Mayor

Pam Lepine  
Pam Lepine, President of Council

ATTEST:

Annie Mae Falte  
Annie Palte, Fiscal Officer