

RESOLUTION NO. 35-21
VILLAGE OF PLAIN CITY, OHIO

A RESOLUTION REGARDING ZONING BUFFERS IN A PROPOSED ANNEXATION OF PROPERTY CONTAINING 79.644 ACRES MORE OR LESS FROM DARBY TOWNSHIP, MADISON COUNTY, OHIO TO THE VILLAGE OF PLAIN CITY, MADISON COUNTY, OHIO PURSUANT TO THE REQUIREMENT OF SECTION 709.023(C) OHIO REVISED CODE.

WHEREAS, a petition has been filed with the Madison County Board of County Commissioners requesting annexation to the Village of Plain City of 79 acres, more or less, of land in Darby Township, Madison County, owned by Norman A. Beachy and Lois F. Beachy Trustees; and

WHEREAS, the Ohio Revised Code requires that where territory sought to be annexed is zoned under Chapter 303 or 519 of the Revised Code that the legislative authority of the municipal corporation adopt an ordinance or resolution stating that if the territory is annexed and becomes subject to zoning by the municipal corporation and the municipal zoning permits uses in the annexed territory that the municipal corporation determines are clearly incompatible with the uses permitted under current county or township zoning regulations on the adjacent land remaining within the township from which the territory was annexed, the legislative authority of the municipal corporation will require, in the zoning ordinance permitting the incompatible uses, that the owner of the annexed territory provide a buffer separating the use of the annexed territory and the adjacent land remaining within the township.

NOW THEREFORE, THE MUNICIPALITY OF PLAIN CITY HEREBY RESOLVES:

Section 1. The Village of Plain City will provide zoning and planning services to the proposed annexation area. If the Village of Plain City rezones the property to permit uses in the annexed territory that the Village of Plain City determines are clearly incompatible with the uses permitted under the current township zoning regulation on the adjacent land remaining within Darby Township, the Village of Plain City will require, in the zoning ordinance permitting the incompatible uses, that the owner of the annexed territory provide a buffer separating the use of the annexed territory and the adjacent land remaining with Darby Township. For the purpose of this section, "buffer" may include open space, landscaping, fences, walls, and other structured elements; street and street right-of-way; and bicycle and pedestrian paths and sidewalks.

Section 2. The Clerk is hereby directed to prepare a certified copy of this Resolution and have it filed with the Madison County Board of County Commissioners prior to the Commissioners' annexation review as required by law.

Passed: September 27, 2021

Attest: Helen Lupton
Village Clerk

Joely Carney
Mayor

First reading: September 13, 2021.

Second reading: September 27, 2021. Vote: 4 yea 1 nay 0 abstain

Certificate of Publication

The undersigned, being Village Clerk of the Village of Plain City, hereby certifies that the foregoing was published by posting for 15 days as required by law and in accordance with Section 4.15 of the Village Charter. The posting was done from September 28, 2021 to October 13, 2021 at the Office of the Director of Finance located at 800 Village Boulevard; all being in the Village of Plain City, Ohio and the Village of Plain City Website at www.plain-city.com.

Date: September 28, 2021

Helen Lupton
Clerk of Council