

City of Oxford
Community Development Department
STAFF REPORT

Planning Commission

Case # PC-07-2012

Date – June 12, 2012

APPLICATION

Applicant:	City of Oxford
Action Request:	Zone Map Amendment to amend the zoning designation of certain property, approximately 47.069 acres of continuous areas, generally known as Yager Stadium and surrounding area, Parcel #H3510026000031, being part of Lot #4 and Parcel # H3510026000031, being part of Lot #5, from Oxford Township A1 to City of Oxford Miami University (MU) District. (The new parcel number, combining these two parcels, after being annexed into the City is H4100009000004)
Address:	
Parcels:	H3510026000031, being part of Lot #4 and H3510026000032, being part of Lot #5 (New parcel number, combining both parcel together and after being annexed, is H4100009000004)

DESCRIPTION

This is part of City Council's goal to capture City income tax revenue sources from sites that are contiguous to the City's corporate boundary that may generate additional income tax revenue. This is one of the areas that were identified as a potential area for annexation that belonged to Miami University and would not have any impact on Oxford Township financially.

City Council approved the annexation of these two parcels in November, 2012 with the passage of Ordinance # 3134. The current parcel number of these two parcels, since being annexed into the City and having been combined into one parcel, is H4100009000004.

Please refer to the attached map for the location of these parcels.

SURROUNDING NEIGHBORHOOD

The municipal zoning in the vicinity of this site is "MU" Miami University to the west; County A-1 to the north, south and east.

COMPREHENSIVE PLAN

Continue to Manage Growth

To maintain the community's small college town character will be preserved and enhanced.

Future growth at the edge of the city will preserve open space; protect the area's rural characters in consideration of township land use.

AGENCY COMMENTS

Fire	Returned without comment
Police	No comments returned
Engineering	Returned without comment
Economic Development	Returned without comment

PUBLIC COMMENT FORMS

No comments have been received to date.

STAFF ANALYSIS

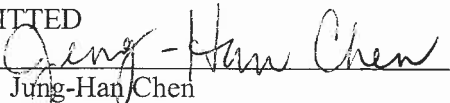
These parcels are generally known as Yager Stadium, encompassing the stadium itself and other auxiliary facilities that are part of the university sport complex. It is the goal of City Council to capture income tax revenue from sites that are contiguous to the corporate boundary. This is one of the areas identified as eligible to be annexed into the City. This is merely changing the zoning designation from Township zoning to Municipal zoning; no other changes are expected to occur with this map amendment. Therefore, the new zoning will be "MU" Miami University.

RECOMMENDATION

Not Applicable.

SUBMITTED

BY:



Jung-Han Chen

Community Development Department

DATE: May 30, 2012

Zoning Map Amendment Application
City of Oxford, Ohio

2012-PC-07

REQUIRED INFORMATION

Name of Applicant: City of Oxford
(Attach a Letter of Agency if the applicant is not the property owner.)
Mailing Address: 101 E High St
Oxford, OH 45056
Telephone Number(s): 524-5204 Email Address: _____
Location of Property: _____
(Indicate address if there is an existing structure or subdivision name and lot number if subdivided.)
Legal Description: H3510026000031, being part of Lot #4 and H3510026000031
Total Area: 47.069 Acres / Square Feet (circle one) being part of Lot #5
Existing Use of Property: ML
Current Zoning: Township A1
Proposed Zone(s): ML
Proposed Use: Miami University

SUBMISSION REQUIREMENTS

Please submit a vicinity map, at scale and a metes and bounds description of the property, the statement described below and the required fee of **\$150.00 plus actual postage**, made payable to the City of Oxford. The entire submission must be prepared in accordance with Chapter 1135, Zoning Code Amendments, of the City of Oxford Zoning Code.

On a separate sheet of paper, provide the names and addresses of all adjoining property owners within 200 feet of the site, including those across streets, roads, alleys and highways. NOTE: The Butler County website (www.butlercountyoio.org/auditor) is very helpful when searching for the mailing address of adjoining property owners. Once the site is up, click on online searches, then click on real estate. It will allow you to search by owner, address or parcel number. *Property Owner names will not be provided in the agenda packet.

Attach a statement which responds to the following questions:

- What is the relationship of the proposed zone change to the City of Oxford's Comprehensive Plan?
- How will the zone change affect the neighborhood in which the property is located? Briefly describe any impacts of the change as proposed.
- How will the zone change affect public facilities such as sewer and water service, drainage, schools and roads, if applicable?
- What mitigating actions might be suggested to offset problems resulting from adverse impacts on private property and public facilities (e.g., landscape screening, drainage improvements, changes in traffic signalization, provision of additional turn lanes).
- Why is the current zoning classification of the property no longer appropriate?

All materials and application fee must be delivered to the office of Community Development, Municipal Building, 101 East High Street, Oxford, Ohio 45056. Any questions should be directed to the Community Development Department at (513) 524-5204. Submit materials 45 days prior to the proposed meeting date.

NOTE: Incomplete applications will not be processed. City Staff will erect a public hearing sign on the subject property. It is the Applicant's responsibility to remove the signage once the hearing(s) are completed.

SIGNATURE OF APPLICANT: Jung-Han Chen Date: 4/27/12

PRINTED NAME: Jung-Han Chen

FEE / RECEIPT

\$150 Fee plus Actual Postage Paid / Receipt Number: NA

City of Oxford
Inter-Office Review Transmittal Sheet

Date: 5/18/2012

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

Drawings are being submitted to you for the following:

PC-07-2012 ZONING MAP AMENDMENT to amend the zoning designations of certain property, approximately 47.069 acres of contiguous areas, generally known as Yager Stadium and surrounding areas, Parcel # H3510026000031, being part of lot # 4 and Parcel # H3510026000031, being part of Lot #5, from Oxford Township A1 to City of Oxford Miami University (MU) District, City of Oxford, Applicant

☒ Review ☐ Revisions ☐ Other

Comments or status update requested by: Lynn Taylor

Please return no later than: **6/8/2012** Note: If no comments are received, we will assume the project meets your department's standards.

Drawings are returned: w/comments without/comments

Drawings reviewed by:

Date:

5-18-12

City of Oxford
Inter-Office Review Transmittal Sheet

Date: 5/18/2012

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

Drawings are being submitted to you for the following:

PC-07-2012 ZONING MAP AMENDMENT to amend the zoning designations of certain property, approximately 47.069 acres of contiguous areas, generally known as Yager Stadium and surrounding areas, Parcel # H3510026000031, being part of lot # 4 and Parcel # H3510026000031, being part of Lot #5, from Oxford Township A1 to City of Oxford Miami University (MU) District, **City of Oxford, Applicant**

 X Review Revisions Other

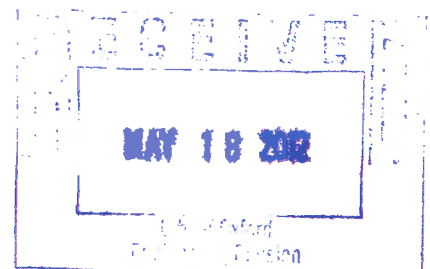
Comments or status update requested by: Lynn Taylor

Please return no later than: **6/8/2012** Note: If no comments are received, we will assume the project meets your department's standards.

.....

Drawings are returned: w/comments without/comments

Drawings reviewed by: *A. Papas* Date: 5-24-12



City of Oxford
Inter-Office Review Transmittal Sheet

Date: 5/18/2012

To: Fire Department Engineering Division Police Department ~~Economic Development~~

From: Community Development

Drawings are being submitted to you for the following:

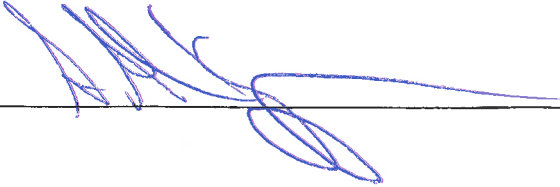
PC-07-2012 ZONING MAP AMENDMENT to amend the zoning designations of certain property, approximately 47.069 acres of contiguous areas, generally known as Yager Stadium and surrounding areas, Parcel # H3510026000031, being part of lot # 4 and Parcel # H3510026000031, being part of Lot #5, from Oxford Township A1 to City of Oxford Miami University (MU) District, **City of Oxford, Applicant**

 X Review Revisions Other

Comments or status update requested by: Lynn Taylor

Please return no later than: **6/8/2012** Note: If no comments are received, we will assume the project meets your department's standards.

.....
Drawings are returned: w/comments without/comments

Drawings reviewed by: 

Date: June - 4 - 2012

Jung-Han Chen

From: Bob Holzworth
Sent: Wednesday, June 06, 2012 3:48 PM
To: Jung-Han Chen
Subject: RE: Police issues related to MU property

Public
Concern

Staff
response

My answers are in blue after each question...

Bob Holzworth
Chief of Police
OPD

From: Jung-Han Chen
Sent: Wednesday, June 06, 2012 12:13 PM
To: Bob Holzworth
Subject: Police issues related to MU property

Chief,

I had an interesting conversation with a township resident, Craig Erickson, concerning jurisdictional issue between OPD and MUPD. This conversation stemmed from the zoning map amendment to the MU property, specifically Yager Stadium, that will go before the Planning Commission.

I think I know the answers for most of his questions, but would like to get your take on those as well. His questions were:

1. Who has the responsibility to deal with property crime when the crimes were committed at the university property? M.U.P.D.
2. How does the noise issue being handled from university facilities during football games or softball games? Do they go to MUPD or OPD? I would suggest that they go to M.U.P.D. That being said, there is little that M.U.P.D. or O.P.D. can (will) do to alleviate sounds emanating from a major sporting event. If this becomes a bigger issue, I will be happy to speak with Mr. Erickson. [We actually hope that 1) the crowd size increases, 2) MU wins more football and softball games, 3) the crowd enthusiasm grows, etc. It's part of the "magic" of living in, or adjacent to, a major university.] It's important to note that OCC 509.11 (g) exempts "noises resulting from authorized public activities such as parades, fireworks, sports events..." So, while Mr. Erickson may not like it, football and softball game noise doesn't violate the OCC.
3. Which entity is responsibility to deal with general police matters on university properties? M.U.P.D.

If more information is needed, just let me know.....Bob

Hope this makes sense. I am preparing these for the Commission meeting next Tuesday night. Thanks for your help.

Jung-Han

Jung-Han Chen
Community Development Director
City of Oxford
Oxford, Ohio 45056
p. (513) 524-5204
f. (513) 524-5266

ORDINANCE NO. 3134

AN ORDINANCE AUTHORIZING THE ANNEXATION OF 47.069 ACRES OF CONTIGUOUS TERRITORY AND DIRECTING THE CITY ATTORNEY TO PROSECUTE THE PROCEEDINGS NECESSARY TO EFFECT SAID ANNEXATION.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF OXFORD, BUTLER COUNTY, STATE OF OHIO, THAT:

SECTION 1: Miami University is the owner of 47.069 acres of land in the unincorporated area of Oxford Township, Butler County, Ohio as recorded in Book 896, Pages 391-393 of the Butler County, Ohio Deed Records.

SECTION 2: The 47.069 acres of land owned by Miami University in the unincorporated area of Oxford Township, Butler County, Ohio is contiguous to the corporate limits of the City of Oxford. The 47.069 acres is more particularly described in the legal description attached hereto and incorporated herein as Exhibit "A".

SECTION 3: The Council hereby authorizes the annexation of said property, in accordance with Ohio Revised Code provisions of §709.14 et seq., and the City Attorney is hereby directed to prosecute the proceedings necessary to effect said annexation.

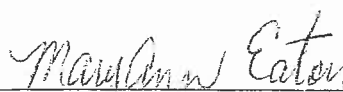
SECTION 4: This Ordinance shall take effect at the earliest time allowed by law.



MAYOR

ADOPTED: December 21, 2010

ATTEST:



CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: RICHARD KEEBLER

PREPARED BY: LAW (STAFF)

CITY OF OXFORD
STAFF SUMMARY REPORT

PC-07-2012

Report to the City Manager

City Manager
Originating Department

Council Meeting Of: December 7, 2010

Doug Elliott
Prepared By

Account Code No. #: N/A

Budgeted Amount: N/A

November 30, 2010
Date Prepared

Agenda Title: An Ordinance authorizing the annexation of 47.069 acres of contiguous territory and directing the City Attorney to prosecute the proceedings necessary to effect said annexation.

Recommendation: Adopt the Ordinance

Discussion:

During the discussion of the income tax levy, the City of Oxford identified several parcels contiguous to the City corporate boundaries that may yield additional income tax revenue to the City. The Yager Stadium parcel was one of them. The City wishes to annex that parcel and Miami University has no objections. Since this parcel is tax exempt, the City's action will not cause a loss in property tax revenue to Oxford Township. It will, of course, remain in the incorporated portion of the township. (Also, any Fire/EMS calls to that area after annexation will be shown as calls in the City rather than the Township.) I have included a map and description of the 47.069 parcel of land.

Approved By:

Department Head:
City Attorney:
City Manager:

Initial Date

 12/3/11

**PETITION BY THE CITY OF OXFORD, OHIO, OWNER OF REAL
PROPERTY, FOR ANNEXATION OF 47.069 ACRES OF TERRITORY TO THE
CITY OF OXFORD IN OXFORD TOWNSHIP, BUTLER COUNTY, OHIO**

(Sections 709.14, 709.15 & 709.16 Ohio Revised Code)

Now comes Stephen M. McHugh, the duly appointed and acting Law Director, of the City of Oxford, Butler County, Ohio and says that:

On the _____ day of _____, 2010, the Council for the City of Oxford at a regular meeting passed Ordinance No. _____, a certified copy of which is attached hereto, marked Exhibit "A" and incorporated herein; and

Said Ordinance authorized the annexation of the property described therein to the City of Oxford, Ohio; pursuant to O.R.C. § 709.14 et seq; and

Said Ordinance authorized Stephen McHugh, the Oxford Director of Law, to prosecute the proceedings necessary to effect said annexation; and

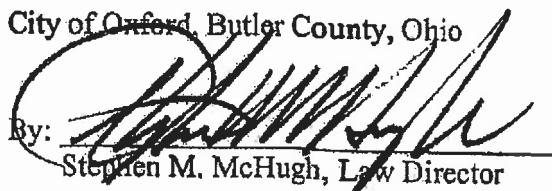
An accurate description of the territory to be annexed is attached hereto, marked Exhibit "B" and incorporated herein; and

An accurate map thereof is attached hereto, marked Exhibit "C" and incorporated herein.

Petitioner further says that all of the territory to be annexed is contiguous to territory owned by the City of Oxford, Ohio, is owned by the Miami University, and is located entirely within the same county as the City of Oxford, Butler County, Ohio.

WHEREFORE; the City of Oxford petitions the Board of County Commissioners to annex the property described in Exhibit "B" to the City of Oxford in accordance with Ohio Revised Code 709.14, 709.15; and 709.16(C).

City of Oxford, Butler County, Ohio

By: 

Stephen M. McHugh, Law Director

Exhibit "A"

Date: October 21, 2010
Description: Yager Stadium
47.069 Acres
Location: Oxford Township
Butler County, Ohio



Situated in the Section 23, Town 5, Range 1, Oxford Township, being parts of Lot #4 and Lot #5 and being the lands of the State of Ohio For the President and Trustees of Miami University as recorded in Deed Book 896 page 391 of the Butler County Ohio Recorder's Office and being more particularly described as follows:

Commencing at the northeast corner of Lot #4, said point being on the north line of said section 23, thence along said north line of Lot #4 and said section line, North 87°52'40" West, 1,225.62 to a found 2" pipe and being the True Point of Beginning;

thence, from the True Point of Beginning, leaving said north line of Lot #4 and said section line, South 54°04'02" East, 231.00 feet to a found 2" pipe;

thence, South 22°04'02" East, 198.00 feet;

thence, South 02°55'58" West, 165.00 feet;

thence, South 27°16'32" East, 663.47 feet to a point on the northerly right of way line of Bonham Road (50' R/W);

thence, along said northerly right of way line, South 70°44'58" West, 91.06 feet;

thence, South 41°39'58" West, 788.01 feet to the northeast corner of Lot #1627 of the City of Oxford;

thence, leaving said northerly right of way line, along the northerly line of Lot #1627, North 64°10'32" West, 378.27 feet;

thence, North 63°44'02" West, 220.52 feet to the northeast corner of Lot #1621 of said City of Oxford;

thence, leaving said northerly line of Lot #1627, along the northerly line of Lot #1621, North 54°14'02" West, 152.96 feet;

thence, North 77°39'02" West, 398.10 feet to the east line of Lot #1620 of said City of Oxford;

thence, leaving said northerly line of Lot 1621, along the easterly line of Lot #1620, North 36°15'58" East, 53.32 feet to a found 5/8" Iron pin at the southeast corner of the lands of Bryon Craig and Kerstin Erickson as recorded in Official Record 7983, Page 1814 of the Butler County Ohio Recorder's Office;

thence, leaving said easterly line of Lot #1620, along the easterly line of said lands of Bryon Craig and Kerstin Erickson, North 03°59'02" West, 861.16 feet to a found 5/8" Iron pin on the southerly right of way line of Morning Sun Road (S.R. 732);

Page 1 of 2

6900 Tylersville Road, Suite A
Mason, Ohio 45040
513-336-8600

209 Grandview Drive
Fort Mitchell, Kentucky 41017
859-281-1113

Engineering - Surveying - Landscape Architecture - Planning
www.bayerbecker.com

318 South College Avenue
Oxford, Ohio 45056
513-523-4270

P.O. Box 3706
Lawrenceburg, Indiana 47025
812-637-9084

thence, leaving the easterly line of the lands of Bryon Craig and Kerstin Erickson, along the southerly right of way line of said Morning Sun Road (S.R. 732), North 38°52'12" East, 231.98 feet;

thence, North 35°30'22" East, 245.17 feet to a point on the southerly line of the lands of Margie Corso Tr. as recorded in Official Record 6686, Page 2329 of the Butler County Ohio Recorder's Office, said point also being on the northerly line of said section 23;

thence, leaving said easterly right of way line of said Morning Sun Road (S.R. 732), along the southerly line extended of said lands of Margie Corso, Tr., and said northerly line of section 23, South 88° 09'32" East, 844.44 feet to the True Point of Beginning containing 2,050,341 square feet or 47.069 acres of land of which 32.306 acres are located in Lot #4 and 14.763 acres are located in Lot #5, more or less and being subject to all easements, legal highways, restrictions and agreements of record.

The above description was prepared from a field survey prepared by Bayer Becker, David Douglas Smith, Registered Surveyor #7121 in the State of Ohio, October 21, 2010.

The Plat of which is recorded in Volume 54, Page 17 of the Butler County Engineer's Records.

Basis of Bearings: State Plane NAD83 GPS Observations, Ohio South Zone 3402.

PC-07-2012

Legend

 Subject Property

 200 Ft. Buffer

 Oxford Corporation Limit

 Parcel

 Road/16.5' Vacated ROW

 Building Footprint

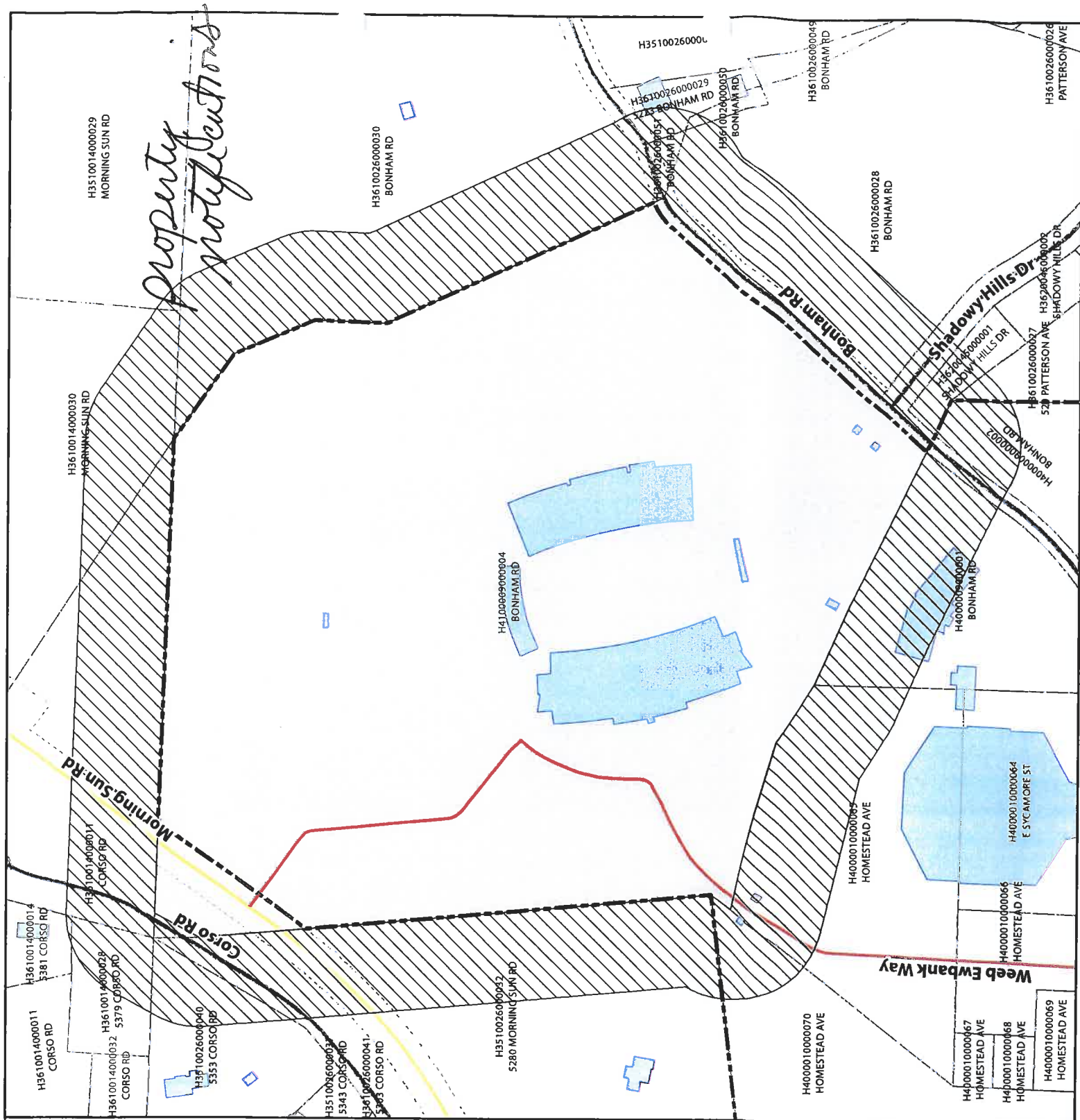
 Paved Roadway



1 inch = 300 feet

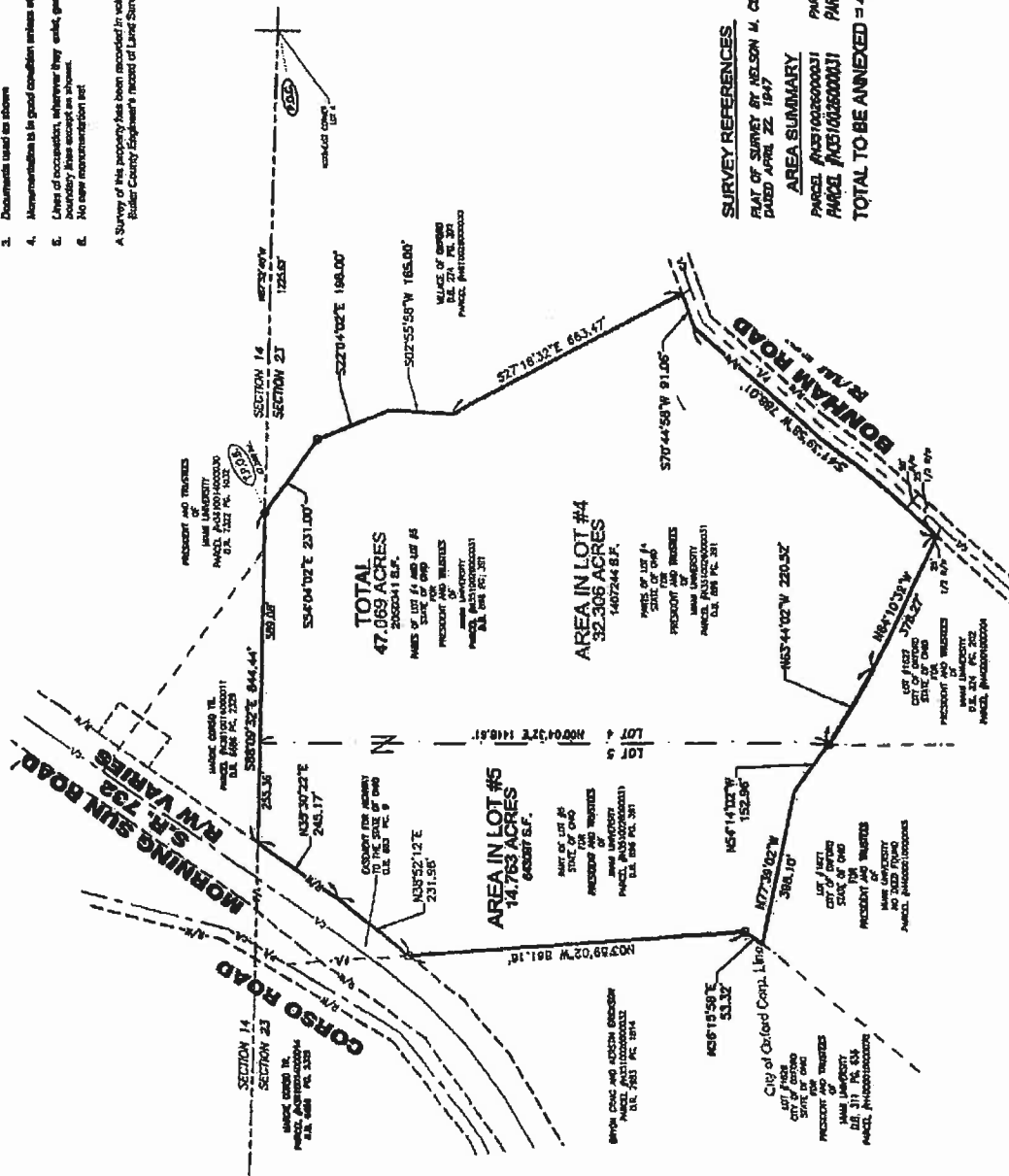


The City of Oxford does not guarantee the dimensional accuracy of this map. Precise dimensional accuracy should be based upon recorded deeds, plats or a professional survey.



NOTES

1. Prior Deed Ref. O.B. 688 P.C. 351
 2. State of Ohio: GPS observation (NAD 83 Ohio (North Zone))
 3. Documents used as shown
 4. Measurements in good condition unless otherwise shown
 5. Lines of occupation, whenever they exist, generally agree with the boundary lines except as shown.
 6. No new measurement lot.
- A Survey of this property has been recorded in volume 61 page 17 of the Butler County Engineer's record of Land Surveys.



I HEREBY CERTIFY THAT ALL MEASUREMENTS AND MONUMENTS SET AND/OR FOUND AS SHOWN, CURVE DISTANCES ARE MEASURED ON THE ARC. ALL WORK PERFORMED IN ACCORDANCE WITH THE MINIMUM STANDARDS FOR BOUNDARY SURVEYS IN THE STATE OF OHIO.

SURVEY LEGEND

- 1/4" = 100' (1" = 100')
- 1/4" = 100' (1" = 100')

DAVID DOUGLAS SMITH PROFESSIONAL SURVEYOR NO. 7121 DATE



City of Oxford
Community Development Department
STAFF REPORT

Planning Commission

Case # PC-05-2012

Date – June 12, 2012

APPLICATION

Applicant:	Bill and Nancy Colwell
Action Request:	Zone Map Amendment to amend the zoning designation of a property, approximately 40.113 acres of land, being parcel # H4000132000015 with frontage on Kehr and Booth Roads, from Oxford Township A-1 to City of Oxford Agricultural Open Space (AOS) District
Address:	
Parcels:	H4000132000015

DESCRIPTION

In 2008, City Council approved the annexation petition of this tract of land into the City Limits, Ordinance #4386. The property owners at that time worked with Neighborhood Housing Services in Hamilton to pursue funding from the State of Ohio to build affordable housing. The hope was that if the funding was approved, then the development plan along with zoning change would move forward. Unfortunately, the application was not awarded any funding. No other action has taken place with the property owner to move forward with any development or to change the zoning designation of this parcel. The zoning designation of this tract remained as A-1 Township until an official action was taken by City Council to change the zoning designation to Agricultural Open Space (AOS) District.

Please refer to the attached map for the location of this parcel.

SURROUNDING NEIGHBORHOOD

The municipal zoning in the vicinity of this site is Single Family Medium Density Residential District (R1B) to the north and west; Township A-1 to the south and east.

COMPREHENSIVE PLAN

Land Use Principles

6. Future growth at the edge of the City will preserve open space, protect the area's rural character, and be consistent with other principles.
10. Environmentally sensitive and sustainable practices will be encouraged in future developments.

AGENCY COMMENTS

Fire	Returned without comment
Police	No comments returned
Engineering	Returned without comment
Economic Development	Returned without comment

PUBLIC COMMENT FORMS

Comments attached.

STAFF ANALYSIS

Given that the site does not have any development plans at this point, and the use of the land has been agriculture/crop harvesting, the zoning of this tract of land should be maintained as low intensity as possible. Recently, City Council adopted an ordinance creating a new zoning district- Agricultural Open Space (AOS) District- to allow such types of land use to continue within the City limits. The owners of the land can still develop the site in the future and amend the zoning designation if and when there is a viable development plan for this tract of land.

RECOMMENDATION

Not Applicable.

SUBMITTED

BY:

Jung-Han Chen
Jung-Han Chen
Community Development Director

DATE: May 9, 2012

✓

City of Oxford
Inter-Office Review Transmittal Sheet

Date: 5/18/2012

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

Drawings are being submitted to you for the following:

PC-05-2012 ZONING MAP AMENDMENT to amend the zoning designation of a property, approximately 40.113 acres of land, being Parcel # H4000132000015 with frontage on Kehr and Booth Roads, from Oxford Township A1 to City of Oxford Agricultural Open Space (AOS) District, **Nancy and Bill Colwell, Applicants**

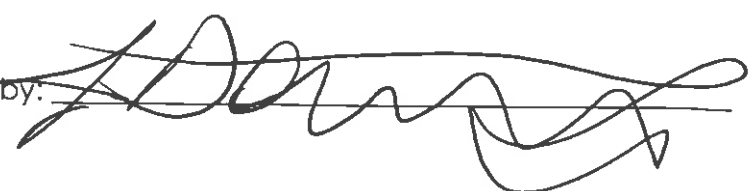
 X Review Revisions Other

Comments or status update requested by: Lynn Taylor

Please return no later than: **6/8/2012** Note: If no comments are received, we will assume the project meets your department's standards.

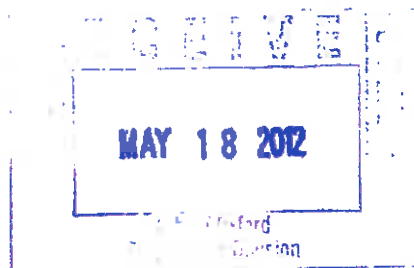
.....

Drawings are returned: w/comments without/comments

Drawings reviewed by: 

Date: 5-18-12

—



City of Oxford
Inter-Office Review Transmittal Sheet

Date: 5/18/2012

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

Drawings are being submitted to you for the following:

PC-05-2012 ZONING MAP AMENDMENT to amend the zoning designation of a property, approximately 40.113 acres of land, being Parcel # H4000132000015 with frontage on Kehr and Booth Roads, from Oxford Township A1 to City of Oxford Agricultural Open Space (AOS) District, **Nancy and Bill Colwell, Applicants**

☒ Review ☐ Revisions ☐ Other

Comments or status update requested by: Lynn Taylor

Please return no later than: **6/8/2012** Note: If no comments are received, we will assume the project meets your department's standards.

.....
Drawings are returned: w/comments without/comments

Drawings reviewed by: _____

Date: 6-4-2012

PC-05-2012

Legend

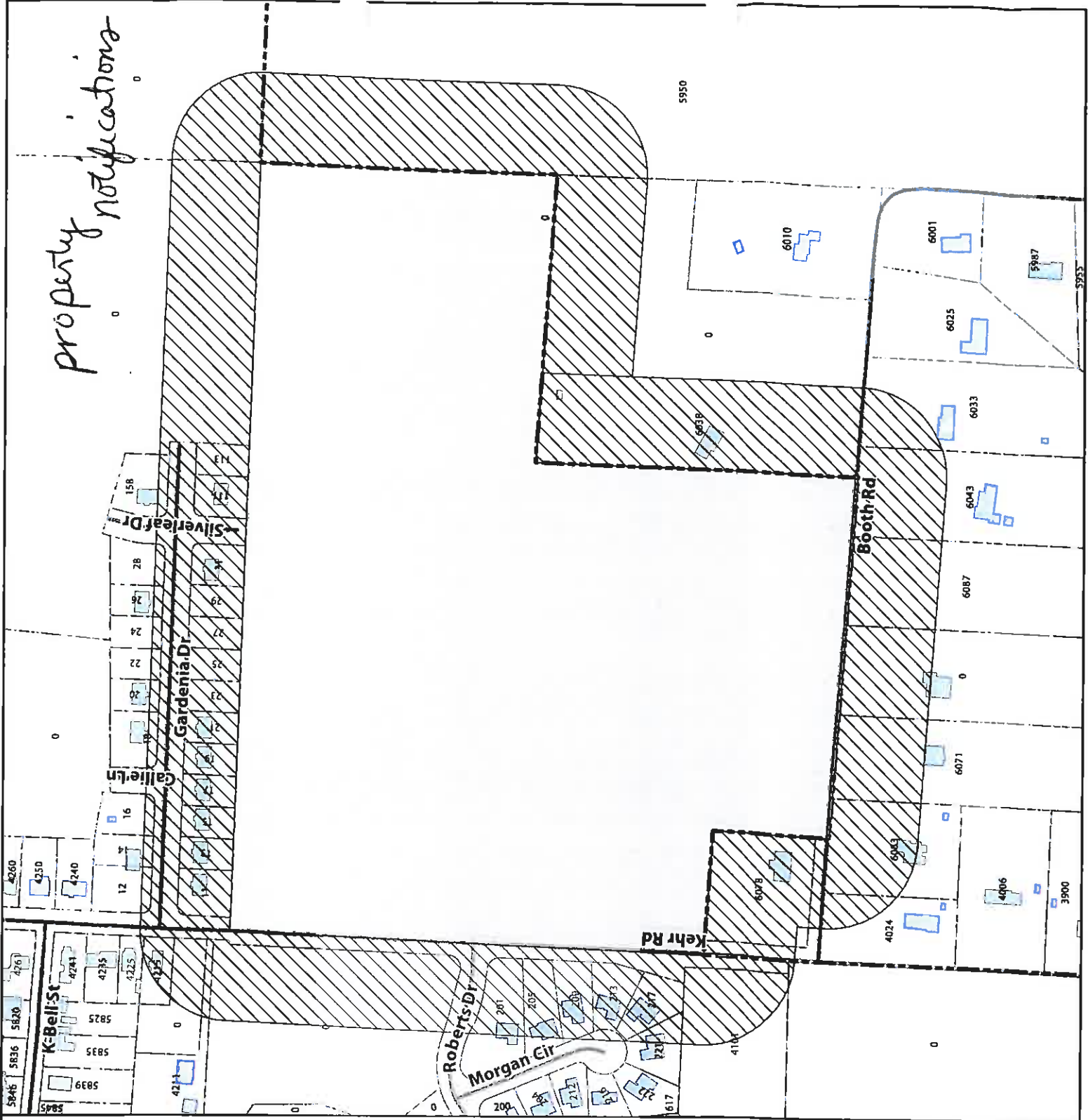
-  Subject Property
-  200 Ft. Buffer
-  Oxford Corporation Limit
-  Parcel
-  16.5' Vacated ROW
-  Building Footprint
-  Paved Roadway



1 inch = 300 feet



The City of Oxford does not guarantee the dimensional accuracy of this map. Precise dimensional accuracy should be based upon recorded deeds, plats or a professional survey.



CITY OF OXFORD
PLANNING COMMISSION
REVIEW AND COMMENT FORM

*Public Comment
Received*

CASE NO: PC-05-2012

DATE OF HEARING: JUNE 12, 2012

PC-05-2012 ZONING MAP AMENDMENT to amend the zoning designation of a property, approximately 40.113 acres of land, being Parcel #H4000132000015 with frontage on Kehr and Booth Roads, from Oxford Township A1 to City of Oxford Agricultural Open Space (AOS) District, **Nancy and Bill Colwell, Applicants**

If you cannot attend the public hearing on this Zoning Map Amendment being held before the City of Oxford Planning Commission, but would like to comment on this matter, please complete this form and return it by **June 4, 2012** to Lynn Taylor, 101 East High Street, Oxford, OH 45056.

Name: Susan Ann Kay

Address: 17 Gardenia Drive, Oxford, OH 45056

Telephone: Home: 513/523-8651 Work: NA

COMMENTS:

I am very much in favor of this change in zoning designation. The change appropriately represents the likely use for the property in the near future and gives hope that, if developed, it will be a likely candidate for cluster development, preserving open space and environmentally sensitive areas.

However, I hope that the City will take this chance to correct water problems on the property that have led to severe drainage problems for many of the developed northern properties adjacent to it. These problems should have been addressed at the initial stages of developing the Silverleaf Meadows addition; however, the property under discussion at this time was not then annexed to the City but was, rather, still in Oxford Township. In addition, the City was under different and less diligent administration at the time of the development of Silverleaf Meadows.

I moved into my home in October of 2006. Throughout that fall and winter, the property did not drain. Water stood on both sides of the back of the lot. (Similar problems were apparent in both adjacent lots.) In the spring of 2007, all three lots were re-graded in order to establish proper swales between the property and the lots were reseeded. This did not completely eliminate drainage problems on my lot at 17 Gardenia, but they were much improved. I still have problems with standing water after any hard rain, but the puddles are, eventually, absorbed. I have taken the precaution of having a new sump pump with battery backup installed. And the pump runs very, very frequently in anything approaching "wet" weather.

Of lingering concern is the "pond" that develops periodically, sometimes lasting throughout the year, closer to Kehr Road and behind 11 Gardenia. It is attractive enough to wildlife that we are treated to geese and ducks. And it could be developed

into a beautiful and well-managed retention area. Unfortunately, it is also a breeding ground for mosquitoes and of some health concern.

A glance at the field makes it easy to understand why the "pond" develops. At each rain, rivulets run across the field, apparently running toward the area of the pond. Mr. Colwell told me early on that he was having some trouble with broken pipes in the field, so I assume that there was a spring being diverted toward the creek on the other side of Kehr in order to improve the farming conditions in the field.

In short, the field needs a thorough topographical and soils assessment in order to determine the exact cause of the drainage problems and the necessary solution. And these changes need to be made now. Continued agricultural use of the land will not solve the problems that have existed for Siverleaf Meadows since the addition was inaugurated. And unless the issues are addressed, anyone farming the land will find plowing and crop yields compromised in that the entire field cannot be utilized effectively.

The person who farms the land has been most considerate in not coming immediately up to the property lines on the south side of Gardenia, in part because there is an easement there for a multiuse, recreational path and in part, I assume, because of the severe water problems in that part of the field. We all appreciate this consideration.

I hope that Planning Commission will insist on such a buffer now, at the time of the zoning change. The easement for the bike path needs to be retained, and at least that width (if not some additional) needs to be provided in order to separate the agricultural use from the development that abuts it. There are issues of potential pesticide and herbicide drift from the agricultural to the developed uses.

Of late, Mr. Colwell has been doing a lot of earth moving, apparently trying to cover the pond area to abate some of the problems. I appreciate his work, but I do not believe that covering the pond will have the desired result unless the underlying problems are solved.

I urge Planning Commission to act now on this problem rather than be confronted at the time of potential development of the property with irate property owners on adjacent properties. I know that development of the Habitat property on Hester Road was slowed while drainage problems in Northridge were addressed. There is no reason that I can see not to anticipate such a future problem and act now to correct the drainage problems.

Thank you for your consideration.

Signature: *Susan Ann Kay*

Date: June 4th, 2012

July 2, 2012

Dave Prytherch, Chair
Oxford Planning Commission
Community Development Department
City of Oxford
Oxford, Ohio 45056

Dear Mr. Prytherch,

Please be advised that as the applicants for the Zoning Map amendment application, PC 05-2012, to amend our property, being parcel # H4000132000015, frontage on Kehr and Booth Road, from Oxford Township A1 to City of Oxford Agricultural/Open Space District, we will not be able to attend the Planning Commission regular meeting on July 10, 2012. However, we would like to submit this letter to indicate that we do not have any objection to such zoning change on our property since there is no development plan for the site.

We do, however, reserve the right to future development when the opportunity becomes available.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink that reads "Bill & Nancy Colwell". The signature is written in a cursive, flowing style.

Bill and Nancy Colwell
2530 Regina Place
Hamilton, Ohio 45013

CC: Jung-Han Chen, Community Development Director

PC-05-2012
Zoning Map Amendment Application
City of Oxford, Ohio

Case No.: 05-0010
Date Filed: 4/25/12

6/12/12 mtg

REQUIRED INFORMATION

Name of Applicant: Bill D & Nancy S
(Attach a Letter of Agency if the applicant is not the property owner.)
Mailing Address: 2530 Regina Place
Hamilton Ohio 45013
Telephone Number(s): 513 895-1475 Email Address: colwellnancy@yahoo.com
Location of Property: Kehr & Booth
(Indicate address if there is an existing structure or subdivision name and lot number if subdivided.)
Legal Description: Lot 3732 Lot 3732
Total Area: 40.1 Acres / Square Feet (circle one) 40
Existing Use of Property: Ag.
Current Zoning: A-1
Proposed Zone(s): Agricultural Open Space AOS
Proposed Use:

SUBMISSION REQUIREMENTS

Please submit a vicinity map, at scale and a metes and bounds description of the property, the statement described below and the required fee of **\$150.00 plus actual postage**, made payable to the City of Oxford. The entire submission must be prepared in accordance with Chapter 1135, Zoning Code Amendments, of the City of Oxford Zoning Code.

On a separate sheet of paper, provide the names and addresses of all adjoining property owners within 200 feet of the site, including those across streets, roads, alleys and highways. NOTE: The Butler County website (www.butlercountyohio.org/auditor) is very helpful when searching for the mailing address of adjoining property owners. Once the site is up, click on online searches, then click on real estate. It will allow you to search by owner, address or parcel number. *Property Owner names will not be provided in the agenda packet.

Attach a statement which responds to the following questions:

- What is the relationship of the proposed zone change to the City of Oxford's Comprehensive Plan?
- How will the zone change affect the neighborhood in which the property is located? Briefly describe any impacts of the change as proposed.
- How will the zone change affect public facilities such as sewer and water service, drainage, schools and roads, if applicable?
- What mitigating actions might be suggested to offset problems resulting from adverse impacts on private property and public facilities (e.g., landscape screening, drainage improvements, changes in traffic signalization, provision of additional turn lanes).
- Why is the current zoning classification of the property no longer appropriate?

All materials and application fee must be delivered to the office of Community Development, Municipal Building, 101 East High Street, Oxford, Ohio 45056. Any questions should be directed to the Community Development Department at (513) 524-5204. Submit materials 45 days prior to the proposed meeting date.

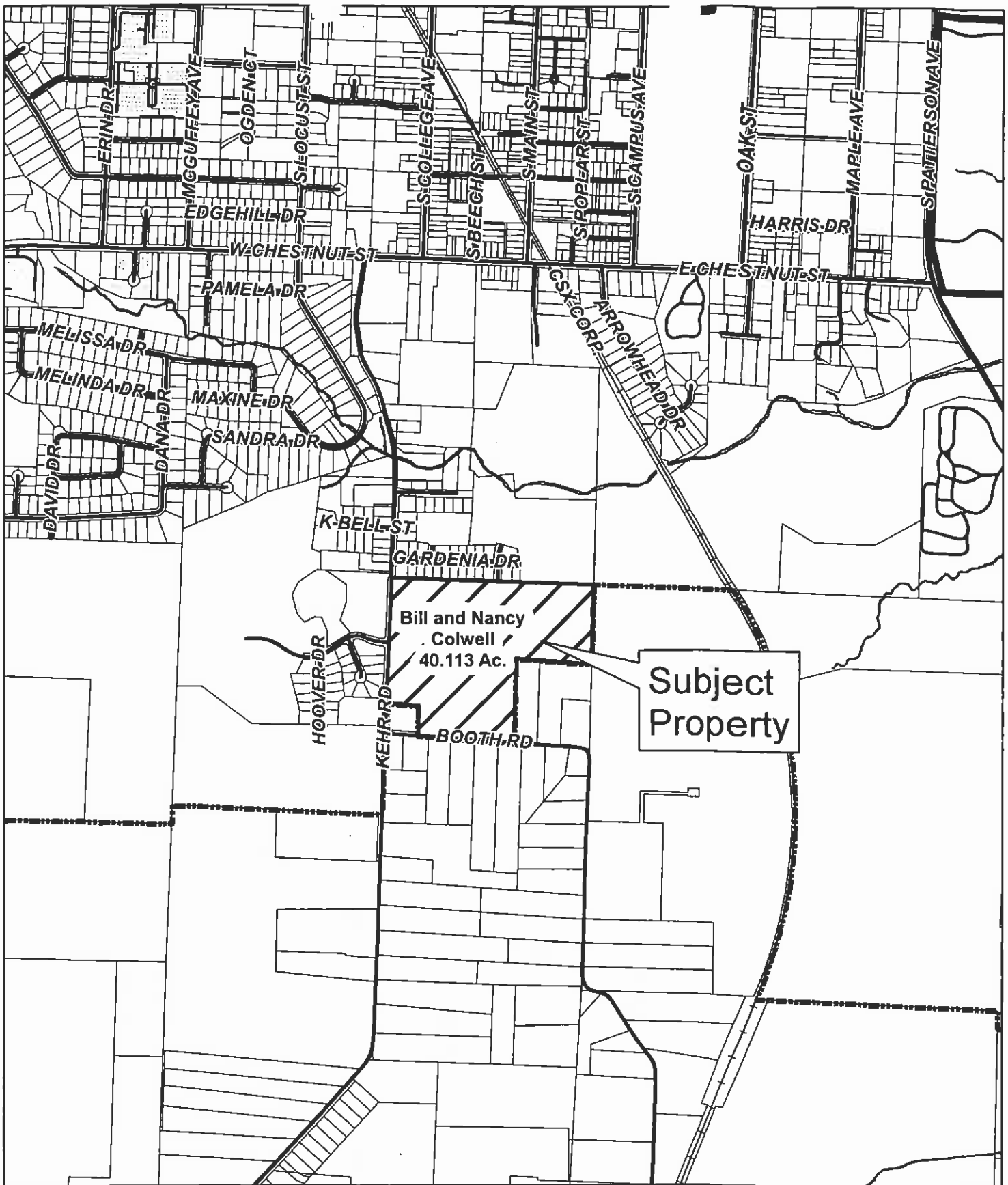
NOTE: Incomplete applications will not be processed. City Staff will erect a public hearing sign on the subject property. It is the Applicant's responsibility to remove the signage once the hearing(s) are completed.

SIGNATURE OF APPLICANT: Nancy S Colwell Date: 4-25-2012
Bill D Colwell

PRINTED NAME: Bill D & Nancy S Colwell

FEE / RECEIPT

\$150 Fee plus Actual Postage Paid / Receipt Number: 17571



Location Map

Colwell Rezoning



Map created by City of Oxford
Community Development Department on 11/15/2013


[Home](#)

Property Records

[Owner Name](#) [Address](#) [Parcel](#) [Advanced Search](#) [Map Search](#) [Sales](#)

- ▶ Profile
- Sales
- Residential
- OBY
- Commercial
- Permits
- Land
- Photos
- Property
- Tax Detail 2011
- Tax Detail 2010
- Tax Detail 2009
- Tax Detail 2008
- Tax Detail 2007
- Tax Detail 2006
- Tax Detail 2005
- Tax Detail 2004
- Tax Detail 2003
- Tax Detail 2002
- Tax Detail 2001
- Sketch
- Levy Information
- Value History
- Maps
- Special Assessments

PARID: H4000132000015
COLWELL BILL D &

KEHR RD

CORP TALENT CSD

M ◀ 29 of 75 ▶ M

[Return to Search Results](#)
[Create Workflow](#)
Owner
 Owner 1
 Owner 2

 COLWELL BILL D &
 NANCY S
Parcel
 Parcel Id H4000132000015
 Address KEHR RD
 Class AGRICULTURAL
 Land Use Code 101, A - CASH GRAIN OR GENERAL FARM
 Neighborhood 00001013
 Total Acres 40.1130
 Taxing District H40
 District Name OXFORD CORP TAL CSD
 Gross Tax Rate 72.92
 Effective Tax Rate

[Property Report Card](#)

GO

Legal
 Legal Desc 1 3732 ENT
 Legal Desc 2
 Legal Desc 3

Printable Summary

Printable Version

Tax Mailing Name and Address
 Mailing Name 1 BILL D AND NANCY S COLWELL
 Mailing Name 2
 Address 1 2530 REGINA PL
 Address 2
 Address 3 HAMILTON OH 45013 4813
Sales
 Sale Date 08-DEC-10 Sale Amount
 01-JUN-91
 01-JUN-91
Dwelling
 Stories
 Square Feet
 Construction
 Total Rooms
 Bedrooms
 Year Built
Current Value
 Land (100%)
 Building (100%)
 Total Value (100%)
 CAUV
 Assessed Tax Year 2011
 Land (35%)
 Building (35%)
 Assessed Total (35%)
Current Year Real Estate Taxes

TAX TYPE	Prior Year	First Half Tax	Second Half Tax	Total
Real Estate	0.00			
Tot Payments	0.00		0.00	
Total	0.00	0.00		

The Butler County Auditor's office strives to provide the public with only the most current and accurate data, the contents herein are not updated in real-time and may not reflect the most recent changes. Please allow several business days for these changes to appear on the website. (*)

RECEIVED

CERTIFICATION

I hereby certify that the documents listed below are true and correct copies pertaining to the annexation of 40.113 acres of land located in Oxford Township, Butler County, Ohio:

City of Oxford

1. Notice of Filing of Annexation Petition.
2. Board of County Commissioners of Butler County, Ohio, Resolution No. 08-03-0402.
3. Oxford City Council Resolution No. 4336 adopted March 4, 2008 formally accepting the annexation petition from Bill D. Colwell, and adopting a statement of services the City of Oxford will provide to the proposed territory to be annexed.
4. Oxford City Council Resolution No. 4386 adopted September 16, 2008, formally accepting the annexation petition from Bill D. Colwell, for 40.113 acres of land in the township of Oxford, Ohio and accepting said territory to be annexed.
5. Map of said property.

September 19, 2008
Date

Mary Ann Eaton
Mary Ann Eaton
Deputy Clerk of Council

TRANSFER NOT NECESSARY
ROGER REYNOLDS, CPA
BY 1-21-09 RAL DEPT
AUDITOR, BUTLER CO., OHIO

Image ID: 000007220893 Type: OFF
Kind: AGREEMENT
Recorded: 01/30/2009 at 12:58:33 PM
Fee Amt: \$180.00 Page 1 of 21
Workflow# 1878914
Butler County, Ohio
Dan Crank COUNTY RECORDER
File# 2008-00003982
BK 8078 PG 1634

RECEIVED

BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF
BUTLER COUNTY, OHIO
PETITION BY OWNER OF REAL ESTATE FOR ANNEXATION
TO
CITY OF OXFORD, OHIO

The undersigned, being all of the owners of a freehold estate in land adjacent to the City of Oxford, Butler County, herein respectfully petition that the real estate hereinafter described be annexed to the City of Oxford, Butler County, Ohio.

Said Petitioners state:

- 1) The full description of the territory sought to be annexed is:

A 40.113 acre tract being part of Lot 2 on Kehr Road, Butler County Ohio (Section 34, Township 5, Range 1); Part of Parcel #H3510037000001 (as more particularly described on Exhibit A).
- 2) The number of owners of real estate in the territory sought to be annexed is 1, being Bill D. Colwell, Trustee, et al., the Petitioners.
- 3) Jill R. McGrail, Esq. and Thomas H. Bergman & Associates, LLC, whose address is 4695 Lake Forest Drive, Suite 200, Cincinnati, Ohio 45242, are hereby appointed and authorized to act as agent for the Petitioners in securing such annexation.
- 4) WHOEVER SIGNS THIS PETITION EXPRESSLY WAIVES THEIR RIGHT TO APPEAL IN LAW OR EQUITY FROM THE BOARD OF COUNTY COMMISSIONERS' ENTRY OF ANY RESOLUTION PERTAINING TO THIS SPECIAL ANNEXATION PROCEDURE, ALTHOUGH A WRIT OF MANDAMUS MAY BE SOUGHT TO COMPEL THE BOARD TO PERFORM ITS DUTIES REQUIRED BY LAW FOR THIS SPECIAL ANNEXATION PROCEDURE.

OWNER NAME:

By: Bill D. Colwell
Bill D. Colwell, Trustee

Date Signed: 2/19/2008

This instrument prepared by:
Thomas H. Bergman & Associates, LLC
4695 Lake Forest Drive, Suite 200
Cincinnati, Ohio 45242
513-563-0906

Image ID: 000007220894 Type: OFF
Kind: AGREEMENT
File# 2008-00003982 Page 2 of 21
BK 8078 Pg 1635

Re: Annexation Petition by Bill D. Colwell, Trustee

I. List of all Tracts in the Territory to be Annexed:

A 40.113 acre parcel which is part of Lot 2 on Kehr Road, Butler County Ohio
Parcel #H3510037000001

II. List of all Tracts Adjacent to or Across the Street from Territory to be Annexed (see attached Exhibit A-1):

1. Adjacent on the south:

Parcel # H3610037000051 (1.603 acres part of Lot 2)
Owner: Katherine Williams
Address: 6078 Booth Road, Oxford, Ohio 45056

Parcel # H3610037000055 (3.255 acres being part of Lot 2)
Owner: William P. Lalk, Jr. and Margaret Jean Lalk
Address: 6038 Booth Road, Oxford, Ohio 45056

Parcel # H3610037000036 (5.000 acres – part of Lot 2)
Owner: John D. Reardon, Trustee
Address: 6010 Booth Road, Oxford, Ohio 45056

Parcel # H3610037000002 (2.257 acres – part of Lot 2)
Owner: John D. Reardon, Trustee
Address: 6010 Booth Road, Oxford, Ohio 45056

2. Adjacent on the west:

Parcel H4100132000004 (4.2620 acres)
and H4100137000039 (4.5720 acres)
Owner: Cobblestone Community Church Inc.
Address: 152 Ryan Road, Oxford, Ohio 45056

H4100137000005 (217 Morgan Cir)
John E & Elizabeth M. Keiser
217 Morgan Circle, Oxford

Parcel H4100137000004 (213 Morgan Cir)
First Financial Bank Trustee
213 Morgan Cir, Oxford, Oh 45056

H4100137000003 (209 Morgan Cir)
Yihong Pan
209 Morgan Cir, Oxford, Ohio 45056

H4100137000002 (205 Morgan Cir)
David V. Donnelly
205 Morgan Cir, Oxford, Ohio 45056

H4100137000001 (201 Morgan Cir)
Lawrence E. Evans
201 Morgan Cir, Oxford, Ohio 45056

3. Adjacent on the north:

Parcel # H4000116000023 (2.793 acres)
Owner: Bill D. Colwell, Trustee
Address: 2530 Regina Place, Hamilton, OH 45013

Parcel H4000116000012 (15.0810 acres)
Owner: Bill D. Colwell, Trustee
Address: 2530 Regina Place, Hamilton, OH 45013

Parcel No.: H4000110000002 (Patterson Avenue)
Village of Oxford
Municipal Building, Oxford, Ohio 45056

4. Adjacent on the east:

Parcel # H3610038000034 (Lot 5 and part of Lot 6)
Owner: Duvall Properties, LLC
Address: 5942 Booth Road, Oxford, Ohio 45056

RESOLUTION NO. 08-03-0402

Resolved By the Board of County Commissioners of Butler County, Ohio, That

WHEREAS, Bill D. Colwell, Trustee (the Owner) owns 40.113 acres in Oxford Township, Butler County; and

WHEREAS, on February 20, 2008, the Agent for the Petitioner filed a unanimous owner's Third Amended Petition (the Petition) to annex 40.113 acres in Oxford Township, Butler County (the Property) to the City of Oxford with this Board utilizing the annexation procedure set forth in R.C. 709.023; and

WHEREAS, pursuant to R.C. 709.023(B), the Third Amended Petition was entered upon this Board's Journal in Resolution 08-02-0279 at the next regular Board meeting after its filing; and

WHEREAS, pursuant to R.C. 709.023(B), within five days after the filing of the Petition, the Agent for the Petitioner provided notice of the time and date when the Petition was filed with this Board along with a copy of the Petition and any attachments or documents accompanying to: (a) the clerk of the City of Oxford's legislative authority; (b) the trustees or the fiscal officer of Oxford Township; and (c) the property owners adjacent to the Property as well as property adjacent to a road that is adjacent to the Property and located directly across that road from the Property; and

WHEREAS, proof of the proper form of service and service of the foregoing notices has been filed with this Board by the affidavit of the Agent for the Petitioner; and

WHEREAS, pursuant to R.C. 709.023(C), within twenty days after the date that the petition was filed, the City of Oxford adopted its Resolution No. 4336 and filed it with this Board setting forth the services the City of Oxford will provide to the Property upon annexation and an approximate date by which it will provide those services; and

WHEREAS, pursuant to R.C. 709.023(D), it is provided that within twenty-five days after the Petition was filed, the legislative authority of the municipal corporation to which annexation is sought and each township whose Property is proposed for annexation may adopt and file with the board of county commissioners an ordinance or resolution consenting or objecting to the proposed annexation based solely upon the petition's failure to meet the conditions specified in R.C. 709.023(E); and

WHEREAS, the City of Oxford has filed legislation consenting to the annexation but no legislation has been filed from the Board of Trustees of Oxford Township; and

WHEREAS, pursuant to R.C. 709.023(E), unless the Petition is granted upon the filing of the legislative consent of the both the township and municipal corporation, then not less than thirty or more than forty-five days after the Petition was filed, the Board shall review the Petition to determine if each of the following conditions has been met:

- (1) The Petition meets all the requirements set forth in, and was filed in the manner provided in, section 709.021 of the Revised Code.
- (2) The persons who signed the Petition are owners of the real estate located in the territory

RESOLUTION NO. 08-03-0402

Page 2 of 3

proposed for annexation and constitute all of the owners of real estate in that territory.

(3) The territory proposed for annexation does not exceed five hundred acres.

(4) The territory proposed for annexation shares a contiguous boundary with the municipal corporation to which annexation is proposed for a continuous length of at least five per cent of the perimeter of the territory proposed for annexation.

(5) The annexation will not create an unincorporated area of the township that is completely surrounded by the territory proposed for annexation.

(6) The municipal corporation to which annexation is proposed has agreed to provide to the territory proposed for annexation the services specified in the relevant ordinance or resolution adopted.

(7) If a street or highway will be divided or segmented by the boundary line between the township and the municipal corporation as to create a road maintenance problem, the municipal corporation to which annexation is proposed has agreed as a condition of the annexation to assume the maintenance of that street or highway or to otherwise correct the problem.

NOW, THEREFORE, BE IT RESOLVED UPON A REVIEW OF THE PETITION that the Board finds that each of the foregoing conditions has been met and that Petition for Annexation to the City of Oxford of the foregoing 40.113 acres in Oxford Township should be and it is hereby granted; and

BE IT FURTHER RESOLVED that this Resolution shall be entered upon the Journal of the board; and

BE IT FURTHER RESOLVED that the Clerk of this Board shall deliver a certified copy of the entire record of the annexation proceedings, including all resolutions of this Board, the petition, map, and all other papers on file to the auditor or clerk of the City of Oxford and to the Butler County Engineer's plat department; and

BE IT FURTHER RESOLVED that in accordance with R.C. 709.023(H) and notwithstanding anything to the contrary in R.C. 503.07, unless otherwise provided in an annexation agreement entered into pursuant to R.C. 709.192 or in a R.C. 701.07 cooperative economic development agreement, this Property shall not at any time be excluded from the township under R.C. 503.07 and thus shall remain subject to Oxford Township's real property taxes.

Image ID: 000007220896 Type: OFF
Kind: AGREEMENT
Page 6 of 21
File# 2009-00003962
BK 8078 Pg 1639

Requestor: Gary Sheets
Request Date: Mar 19, 2008

Commissioner Jolivet moved for the adoption of the foregoing resolution.
Commissioner Dixon seconded the motion and upon call of the roll,
the vote resulted as follows:

Commissioner	Jolivet	Yea
Commissioner	Dixon	Yea
Commissioner	Furmon	Yea


Image ID: 000007220889 Type: OFF
Kind: AGREEMENT
Page 7 of 21
File# 2009-00003982
BK 8078 Pg 1640

Adopted: Mar 20, 2008

Attest: *John K. Butler*, Clerk

Page 3 of 3

RESOLUTION NO. 4336

A RESOLUTION ACCEPTING THE ANNEXATION PETITION FOR 40.113 ACRES OF LAND ON KEHR ROAD OWNED BY BILL D. COLWELL, IN THE TOWNSHIP OF OXFORD, OHIO; CONSENTING TO SAID ANNEXATION; AND ADOPTING A STATEMENT OF THE SERVICES THE CITY OF OXFORD WILL PROVIDE TO THE PROPOSED TERRITORY TO BE ANNEXED TO THE CITY OF OXFORD, PURSUANT TO A PETITION FILED WITH THE BOARD OF COMMISSIONERS OF BUTLER COUNTY, OHIO, BY JILL R. MCGRAIL, ESQ. AGENT FOR PETITIONER, BILL D. COLWELL.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OXFORD, BUTLER COUNTY, STATE OF OHIO, THAT:

SECTION 1: Council, having received the notification of a petition for annexation from Jill R. McGrail, Esq. Agent for petitioner, for 40.113 acres of land on Kehr Road, in the Township of Oxford, Ohio, hereby accepts said petition.

SECTION 2: Council hereby consents to the annexation petition from Jill R. McGrail, Esq. Agent for petitioner, for 40.113 acres of land on Kehr Road, in the Township of Oxford, Ohio.

SECTION 3: The Ohio Revised Code provides that the legislative authority of a municipal corporation shall adopt an ordinance or resolution indicating what services a municipal corporation will provide to the territory to be annexed to the municipal corporation upon receiving notice of the petition for annexation.

SECTION 4: The City of Oxford, will provide the following services to the territory sought to be annexed in the petition filed by Jill R. McGrail, Esq., agent for Petitioner, consisting of 40.113 acres plus or minus as described on Exhibit "A", attached hereto and incorporated herein, conditioned upon the property owners providing to the City of Oxford the means of ingress and egress acceptable to the City, by which the City will have access to the proposed annexed territory. These services are conditioned upon access being provided.

POLICE

Police service will be provided on a twenty-four (24) hour basis. Additional police services/equipment will be provided as required.

FIRE PROTECTION

The Oxford Fire Department will provide fire protection and emergency ambulance service as stated in the Fee Ordinance in the territory to be annexed. Additional fire protection and services/equipment will be provided as required.

WATER AND SEWER

Water and Sewer, as provided by law and by service contract, will be furnished to the annexed territory where available, subject to the City's ability to provide these services, based on the current system and the then current Fee Ordinance. Upgrading the present system will be necessary and will be done at the owner's expense.

PLANNING AND DEVELOPMENT

A professional planning and engineering staff and economic development staff will be available to service the annexed territory.

ZONING REGULATIONS

Current City of Oxford Zoning Regulations will be enforced in the annexed territory.

STREET MAINTENANCE

The Division of Streets will provide a full range of street maintenance activities, upon the owners dedicating streets to the public and deeding the same to the City.

BUILDING AND PLANNING SERVICES

Building inspection and planning services by the City of Oxford's professional staff will be provided to the territory on annexation.

WASTE COLLECTION

Residential waste collection services will be provided immediately upon annexation. Residential waste collection services are provided on a weekly basis and consist of curb-side pick-up. The property owners will be subject to a monthly fee for waste-collection services.

PARKS AND RECREATION

As the territory develops, the need for parks and recreational facilities will be evaluated and appropriate facilities provided upon approval of the Council of the City of Oxford. The City of Oxford currently provides to its citizens play fields, a swimming pool, tennis courts, and ball fields.

MISCELLANEOUS

Any and all other services provided to the citizens of the City of Oxford will be provided to the proposed territory upon annexation.

SECTION 5: This resolution shall take effect at the earliest time allowed by law.

Ken Bogard
VICE MAYOR

ADOPTED: March 4, 2008

ATTEST:

Mary Ann Eaton
DEPUTY CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: PRUE DANA

PREPARED BY: LAW (STAFF)


Image ID: 000007220802 Type: OFF
Kind: AGREEMENT Page 10 of 21
File# 2008-00003982
BK 8078 pg 1643

RESOLUTION NO. 4386

RESOLUTION ACCEPTING THE ANNEXATION PETITION FROM BILL D. COLWELL FOR 40.113 ACRES OF LAND ON KEHR ROAD, IN THE TOWNSHIP OF OXFORD, OHIO AND ACCEPTING SAID TERRITORY TO BE ANNEXED.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OXFORD, BUTLER COUNTY, STATE OF OHIO, THAT:

SECTION 1: Bill D. Colwell filed a petition with the Board of County Commissioners of Butler County, Ohio, to obtain annexation to the City of Oxford, Butler County, Ohio, territory consisting of 40.113 Acres of Land on Kehr Road, in the Township of Oxford, Ohio. Said petition was filed with the consent of all parties pursuant to Ohio Revised Code Section 709.023.

SECTION 2: The Board of County Commissioners did, by Resolution No. 08-03-0402, adopted March 20, 2008, approve the annexation of the proposed territory to the City of Oxford as hereinafter described. Such approval was subject to the terms and conditions contained in the Annexation Agreement, provided for by Ohio Revised Code Section 709.192, attached hereto and incorporated herein as Exhibit "A".

SECTION 3: The Board of County Commissioners did, through the Clerk of the Board of County Commissioners, Butler County, Ohio, certify a transcript of the proceedings in connection with the map and petition required herein to the Clerk of the Oxford City Council who received the same on the 31st day of March, 2008.

SECTION 4: Sixty (60) days from the date of the filing have now elapsed in accordance with the provisions of Ohio Revised Code 709.04.

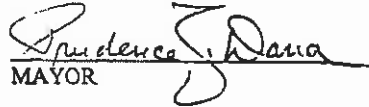
SECTION 5: The proposed annexation, as applied for in the petition of Bill D. Colwell being the petitioner and owner of the real estate in the territory sought to be annexed and filed with the Board of County Commissioners, Butler County, Ohio, in which the petition prayed for annexation to the City of Oxford, Ohio, of certain territory adjacent thereto as hereinafter described, and which petition was approved for annexation to the City of Oxford, Ohio, by the Board of County Commissioners on March 20, 2008, be and the same is hereby accepted and deemed annexed to the City of Oxford, subject to all the terms and conditions provided herein and contained within the Annexation Agreement, attached hereto and incorporated herein as Exhibit "A". The territory to be annexed is more particularly described in Exhibits "B" and "C", attached hereto and incorporated herein.

SECTION 6: A certified transcript of the proceedings for annexation with an accurate map of the territory, together with the petition for annexation and the papers relating to all proceedings heretofore with the County Commissioners, are all on file with the Clerk of the City of Oxford, and have been for more than sixty (60) days.

Image ID: 000007220803 Type: OFF
Kind: AGREEMENT Page 11 of 21
File# 2008-00003982
BK 8078 pg 1644

SECTION 7: The Clerk of the City of Oxford be and is hereby authorized and directed to make four copies of this resolution, to each of which shall be attached a copy of the map accompanying this petition for annexation, a copy of the transcript of proceedings of the Board of County Commissioners of Butler County, Ohio, related thereto, and certified as to the correctness thereof. The Clerk shall then forthwith deliver one copy to the County Auditor, one copy to the County Recorder and one copy to the Secretary of State and shall file notice of this annexation with the Board of Elections within thirty (30) days after it becomes effective and the Clerk shall do all other things as required by law.

SECTION 8: This resolution shall take effect at the earliest date allowed by law.


MAYOR

ADOPTED: September 16, 2008

ATTEST:


DEPUTY CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: PRUE DANA

PREPARED BY: LAW (STAFF)


Image ID: 000007220904 Type: OFF
Kind: AGREEMENT Page 12 of 21
File# 2008-00003862
BK 8078 PG 1645

ANNEXATION AGREEMENT

This Annexation Agreement is hereby entered into this 21st day of May 2008, by and between the City of Oxford, Ohio, a municipal corporation, hereinafter referred to as "City", and Bill D. Colwell Trustee hereinafter referred to as "Owner".

WHEREAS, the Owner owns property in Oxford Township (hereinafter referred to as "Property") and has filed the petition to have the Property annexed into the City and to receive municipal services for development purposes, and;

WHEREAS, the City has agreed to make municipal services available to the Property; and,

WHEREAS, the City desires to enter into an annexation agreement to outline the issues and concerns identified by the City to ensure these issues will be addressed appropriately when the Property is developed; and

WHEREAS, the Owner desires to formalize the understanding between parties with respect to the future development of the Property.

NOW, THEREFORE, to allow the Property to be annexed into the City and to be able to develop the Property in the future, the City and Owner hereby agree as follows:

1. The Owner has filed an annexation petition requesting that the Property be annexed into the City and the annexation proceeding is pending upon the execution of the Agreement. The petition seeks to annex 40.113 acres known as Lot 2 on Kehr Road, Butler County Ohio (Parcel #3510037000001) and more particularly described on Exhibit A attached hereto. The said petition is attached hereinafter as Exhibit b.
2. A portion of the Property, (i.e 20 acres of land), is designated as an affordable housing project site per an application that was jointly filed by Miller Valentine Apartment III LLC and The Neighborhood Housing Services of Hamilton, Inc. The application seeks housing funding programs administered by the Ohio Housing Finance Agency to construct approximately 35 single-family housing units available for low and moderate-income families based on the area median income as defined on the U. S. Department of Housing and Urban Development's annual published tables.
3. The City has agreed to take those actions required to annex the Property at the earliest time practical after the execution of the Agreement based on the agreement of the Owner to develop affordable housing.

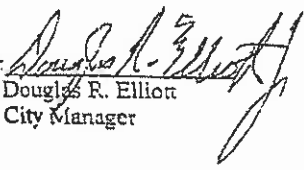
Image ID: 000007220808 Type: OFF
Kind: AGREEMENT Page 14 of 21
File# 2009-00003982
EK 8078 PS 1647

4. The City agrees to accept an application to rezone the Property after the execution of this Agreement and to have the application heard by the Planning Commission at the first available date, even if prior to the completion of the annexation. The application will seek to rezone the property to R1-B. The rezoning request will be heard by City Council. If the annexation has not yet been completed, City Council will review the request to provide an advisory opinion. City Council will consider the rezoning application request officially as soon as practical following annexation of the Property to the City.
5. The City agrees to make municipal water service available to the Property. The cost to connect to the existing nearest municipal water service to the Property will be the Owner's responsibility. The installation of said connection to the municipal water service shall conform to the specifications and standards of the City's ordinance and regulations existing at the time municipal water service is installed on the Property. The Owner shall also pay for any additional capacity if existing water service capacity will not support the development of the Property, as determined by the Service Director.
6. The City also agrees to make the municipal sanitary sewer service available to the Property. The cost of connecting the Property to the nearest existing municipal sanitary sewer service will be the Owner's responsibility. The installation of such connection to the municipal sanitary sewer service shall conform to the specifications and standards of the City's Ordinances and regulations as applicable. The Owner shall also pay for the upsizing of any existing sanitary lines necessary to support the development of the Property, as determined by the Service Director.
7. The Owner is responsible to conduct a traffic impact study for the development of the Property prior to submitting any subdivision requests to the Oxford Planning Commission for review. The Owner is responsible for the signalization of the entrance/entrances as determined by the Service Director, based on a complete traffic impact study for the development of the Property.
8. The Owner agrees to dedicate sufficient right-of-way to construct an acceleration/deceleration lane at Kehr Road and Booth Road entrances to the Property where the subdivision is proposed. The City Engineer will determine the necessary right-of-way width. All roadway construction in and around the development of the Property shall meet the City of Oxford's specifications and be at the Owner's expense.
9. The Owner will provide the City Engineer a detailed plan of how to handle additional storm water generated from the development for review. The City Engineer shall determine whether the proposed plan to handle additional storm water is satisfactorily meeting the standards and specifications of the City's Ordinances and regulations as applicable and advise the Owners of any deficiencies that need to be corrected prior to approving the proposed storm water-handling plan.
10. If the City fails to rezone the Property as requested here or otherwise agreed by the Owner within ninety (90) days after Council approval of the annexation (including any applicable mandatory waiting periods), the City agrees to cooperate with the Owner and de-annex the Property as soon as possible.

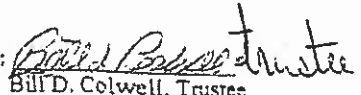
11. All utility, roadways and traffic signal must be constructed in conformance to the City of Oxford's specifications.
12. Future development of the Property shall meet the minimum requirements as stipulated in the City of Oxford Planning and Zoning Code and other specifications and requirements set forth in the City's Ordinances and regulations, as amended.
13. This Agreement is intended to be severable. If part of the Agreement is deemed unenforceable, the remainder shall be enforced to the extent necessary to accomplish the goals of the Owner to develop the Property as requested or to de-annex the Property.
14. Any modifications to this Agreement shall require the approval of both parties and shall be in writing.
15. This Agreement shall be recorded in the Butler County Recorder's Office and the terms, conditions shall be binding upon the parties herein and all successors's and assigns, and these terms and conditions shall run with the land.

The Parties have signed and executed this Agreement on the date first written above.

CITY OF OXFORD

BY: 
Douglas R. Elliott
City Manager

OWNER

BY: 
Bill D. Colwell, Trustee

REMAINDER OF PAGE INTENTIONALLY LEFT BLANK


Image ID: 000007220907 Type: OFF
Kind: AGREEMENT
File# 2009-00003982 Page 16 of 21
BK 8078 Pg 1648



Image ID: 000007220908 Type: OFF
Kind: AGREEMENT

ACKNOWLEDGEMENT

File# 2009-00003862 Page 16 of 21

BK 8078 Pa 1649

STATE OF OHIO)
) SS
County of BUTLER)

BE IT REMEMBERED, that on this 21 day of May, 2008, before me, the subscriber, a Notary Public in and for said County and State, personally came Bill D. Colwell, Trustee, Owner of the land, and acknowledged the signing of the foregoing instrument, and that the same is his voluntary act and deed.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my notarial seal on the day and year above written.

Lora L. Isenhart

Notary Public

Lora L. Isenhart

Notary Public, State of Ohio

My Commission Expires Aug 26, 2011

STATE OF OHIO)
) SS
County of BUTLER)

BE IT REMEMBERED, that on this 21 day of May, 2008, before me, the subscriber, a Notary Public in and for said County and State, personally came Douglas R. Elliott, City Manager, and acknowledged the signing of the foregoing instrument, and that the same is his voluntary act and deed.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my notarial seal on the day and year above written.

Lora L. Isenhart

Notary Public

Lora L. Isenhart

Notary Public, State of Ohio

My Commission Expires Aug 26, 2011

EXHIBIT "B"

Image ID: 000007220909 Type: OFF
Kind: AGREEMENT
Page 17 of 21
File# 2009-00003982
BK 8078 Pa 1650

RECEIVED

RECEIVED
BK: 7815 PG: 124501282

Situate in Lot 42, Section 34, Town 5, Range 1 East, in Oxford Township, Butler County, Ohio and being bounded and described as follows: Beginning at the northwest corner of said Lot 42 and in the center line of Kehr Road; thence North 15° 09' 12" East 1629.46 feet to the northeast corner of said Lot; thence South 01° 04' 35" East along the east lot line 916.30 feet; thence North 89° 30' West 146.00 feet; thence South 01° 04' 35" East 400.00 feet to a point in the center line of South Road; thence North 89° 30' West along said center line 1474.50 feet to a point in the center line of Kehr Road; thence North 01° 04' 35" West 1315.00 feet to the point of beginning containing 49.971 acres more or less and being subject to its legal right-of-way of the public highway and also to any easements of record.

The same being subject to the payment of an annual ground rent due and payable to the Treasurer of Miami University, every year.

A survey of this property was made by F. Paul Albert, Ohio Registered Surveyor

FC959. (Not a complete field survey — see plat).

Butler County Engineer's Record of Land Surveys, Volume 9, Page 31.

SAYS AND EXCEPTING THEREFROM the following facts:

(i.) 5.90 acres conveyed to Mary Marguerite Harris to Georgeanna Reardon by deed dated May 12, 1980 and recorded in Volume 1396, Page 108 of the Butler County, Ohio Deed Records.

(ii.) 1.603 acres conveyed by Mary M. Harris to Eugene Young, Trustee by deed dated October 24, 1984 and recorded in Volume 1580, Page 50 of the Butler County, Ohio Deed Records.

(iii.) 3.153 acres conveyed by Samuel William Harris and James J. Harris, co-exors of the Estate of Mary Marguerite Harris to William L. Kalk, Jr. by deed dated September 23, 1988 and recorded in Volume 1646, Page 247 of the Butler County, Ohio Deed Records.

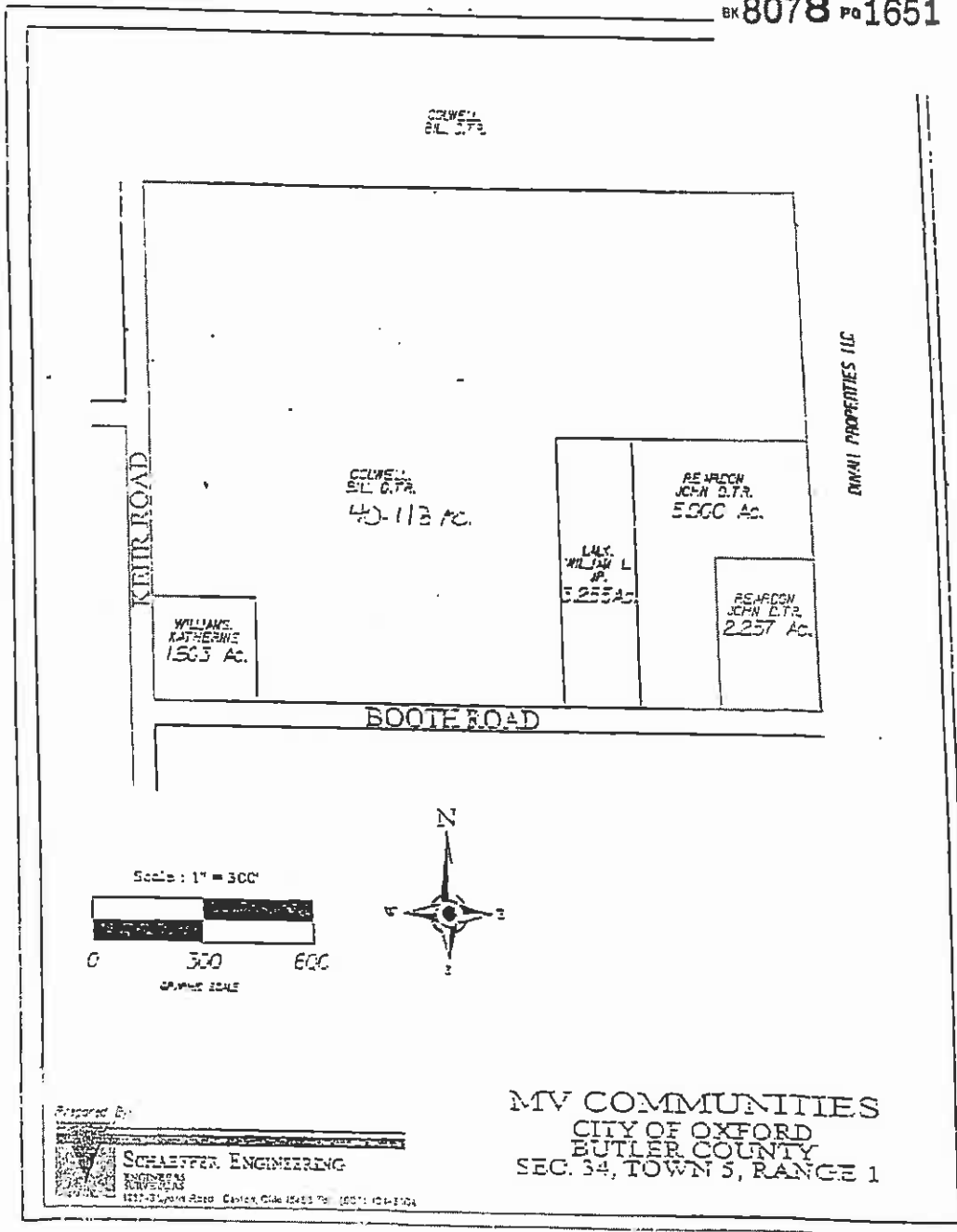
Being the same premises conveyed to Bill D. Caldwell, Trustee by six deeds all recorded on June 17, 1991 in Volumes 1713 on Pages 611, 613, 619, 642 and 647 of the Butler County, Ohio Deed Records.

FEBRUARY 11 2008

A-08-72-3179

EXHIBIT "C"

Image ID: 000007220910 Type: OFF
 Kind: AGREEMENT Page 18 of 21
 File# 2009-00003862
 BK 8078 Pg 1651



Road Maintenance Agreement

Between the governmental agencies of

Board of Oxford Township Trustees, Butler County, Ohio
City of Oxford, Butler County, Ohio

JAN 16 2009

This joint road agreement and resolution is made and entered into by and between the Board of Oxford Township Trustees and the City of Oxford, both political subdivisions of Butler County and the State of Ohio, and pursuant to the Ohio Revised Code Section 709.033.

WITNESSETH:

- WHEREAS, portions of *Kehr Road* are within the corporation limits of the City of Oxford; and
- WHEREAS, portions of *Kehr Road* are also within the un-incorporated areas of Oxford Township; and
- WHEREAS, portions of *Booth Road* are within the corporation limits of the City of Oxford; and
- WHEREAS, portions of *Booth Road* are also within the un-incorporated areas of Oxford Township; and
- WHEREAS, henceforth all improvement and maintenance responsibilities shall be divided as follows:
- (1) City of Oxford is to maintain and repair *Kehr Road* from the southerly property line of Parcel H4100116000032, Lot 3645 Silverleaf Meadows Subdivision Section One, to its intersection with *Booth Road*, a total distance of 1,331^{1/2} feet or 0.252^{1/2} miles.
 - (2) Oxford Township is to maintain and repair *Kehr Road* from its intersection with *Booth Road* to the Oxford/Railly Township line, for a total distance of 4,236^{1/2} feet or 0.802^{1/2} miles.
 - (3) City of Oxford is to maintain and repair *Booth Road* from the west property line of Parcel H3610037000055, proposed easterly City Limits of Oxford, to its intersection with *Kehr Road*, a total distance of 1,082^{1/2} feet or 0.205^{1/2} miles.
 - (4) Oxford Township is to maintain and repair *Booth Road* from the west property line of Parcel H3610037000055, proposed easterly City Limits

of Oxford, to the Oxford/Rolly Township line, for a total distance of 4,776[±] feet or 0.905[±] miles.

WHEREAS, an improvement is a change, permanent and fixed - maintenance has been defined as any and all repairs, general upkeep of the roadway, and culverts within the right-of-way;

AND WHEREAS, this agreement involves both improvements and maintenance;

THEREFORE IT IS MUTUALLY AGREED

- (1) The Board of Oxford Township Trustees does hereby adopt this agreement to become effective upon the adoption of the same agreement by the City of Oxford.
- (2) All improvements and maintenance responsibilities shall be divided between the Township and the City of Oxford as follows:
 - a. City of Oxford is to maintain and repair *Kehr Road* from the southerly property line of Parcel H4100116000032, Lot 3645 Silverleaf Meadows Subdivision Section One, to its intersection with *Booth Road*, a total distance of 1,331[±] feet or 0.252[±] miles.
 - b. Oxford Township is to maintain and repair *Kehr Road* from its intersection with *Booth Road* to the Oxford/Rolly Township line, for a total distance of 4,236[±] feet or 0.802[±] miles.
 - c. City of Oxford is to maintain and repair *Booth Road* from the west property line of Parcel H3610037000055, proposed easterly City Limits of Oxford, to its intersection with *Kehr Road*, a total distance of 1,082[±] feet or 0.205[±] miles.
 - d. Oxford Township is to maintain and repair *Booth Road* from the west property line of Parcel H3610037000055, proposed easterly City Limits of Oxford, to the Oxford/Rolly Township line, for a total distance of 4,776[±] feet or 0.905[±] miles.
- (3) That Oxford Township and City of Oxford shall notify and report to each other any work on either *Kehr Road* or *Booth Road* undertaken during each year.

Image ID: 000007220912 Type: OFF
Kind: AGREEMENT

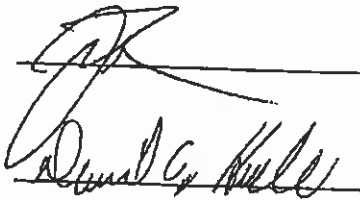
File# 2009-00003982 Page 20 of 21

BK 8078 Pg 1653

- (4) That each entity shall finance and pay for all costs of improvements, repairs and maintenance undertaken by them.
- (5) That unless otherwise agreed upon, employees and contractors of each entity shall remain solely the responsibility of that entity, as to payment, worker's compensation, and insurance, and the performing entity shall hold the other entity harmless as to any and all debts and obligations concerning those employees or contractors.

IN WITNESS WHEREOF, the parties of this Agreement have set their hands this 31 day of December, 2008.

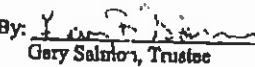
Witnesses:



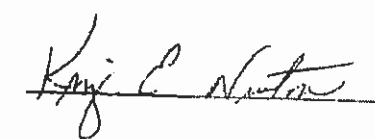
BOARD OF OXFORD TOWNSHIP TRUSTEES

By: 
James McDonough, Board President

By: 
Larry Friedman, Trustee

By: 
Gary Salton, Trustee

Witnesses:

CITY OF OXFORD

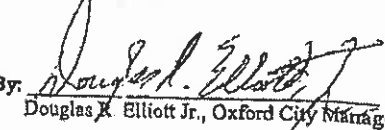
By: 
Douglas R. Elliott Jr., Oxford City Manager


Image ID: 000007220913 Type: OFF
Kind: AGREEMENT
File# 2008-00003982 Page 21 of 21
BK 8078 pg 1654

Lot Split/Consolidation Application
City of Oxford, Ohio

REQUESTED ACTION (check one)

☐ Lot Split (\$20)

☒ Lot Consolidation (\$20)

☐ Lot Split & Consolidation (\$40)

REQUIRED INFORMATION

Name of Applicant:

Rice Management

(Attach a letter of agency if the applicant is not the property owner.)

Mailing Address:

48 West Liberty St.

Hubbard, Ohio

44425-1705

Telephone Number(s):

330-534-1971

Location of Property:

508 South College Ave. Oxford, OH 45056

Legal Description:

Old Parris Outlot 22 New Lot

Zoning District:

R1m S

Number of Lots:

2

Total Acreage:

0.484

Surveyor:

Todd K Turner of Tri-State Location Services

Address:

4839 Old Tower Ct. Fairfield, OH 45014

Phone Number:

513-829-7722

DRAWING REQUIREMENTS

Please submit the plat on millar film with two copies. An 8 1/2 x 11 copy is also required. All signatures must be original. The plat shall be drawn at a scale not greater than 1 inch = 100 feet. Drawing size must be at least 15" x 24" and should never exceed 24" x 36". The following information must appear on the plat:

- The location of all present property lines, streets, alleys, rights-of-way, buildings, easements, lakes, watercourses and drainage ways
- Size of the tract in acres and square feet and the boundary lines along with the linear measurement thereof.
- The names and record owners of adjoining parcels of un-subdivided land
- The original seal, registry number and signature of the public surveyor who prepared the plat.
- Any portion of the floodplain as delineated by the Flood Insurance Rate Map (FIRM) Community Panel Number 590731 0001-0003, revised December 3, 1997, must be clearly illustrated and labeled on the plat.

NOTE: In order for a lot consolidation or lot split to be valid, the applicant is responsible for contacting the City of Oxford Community Development Department with the volume and page number that the consolidation/split has been recorded in with Butler County.

Submit this application, the original and required copies of the plat and the fee payable to the City of Oxford to the office of the Community Development Director, Municipal Building, 101 East High Street, Oxford, Ohio 45056. Any questions should be directed to the Community Development Department at (513) 524-5204.

Please submit a signed copy of the plat for City records following approval of the split/consolidation.

Applicant's Signature

TYLER RICE, VICE PRESIDENT RICE MGT, INC.

Applicant's Printed Name

5/1/12

Date

FEE / RECEIPT:

\$ 20.00

Fee Paid / Receipt Number

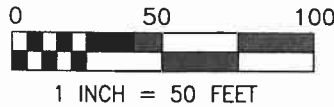
17588/62

BK 8447 PG 1511

PC-Adm-2012-03



GRAPHIC SCALE



LEGEND:

- X - X-NOTCH
- O - IRON PIN FOUND
- - 5/8" IRON PIN SET

APPROVED BY
 the City of Oxford, Ohio

[Signature] 5/10/12
 Signature Date

[Signature]
 Printed Name

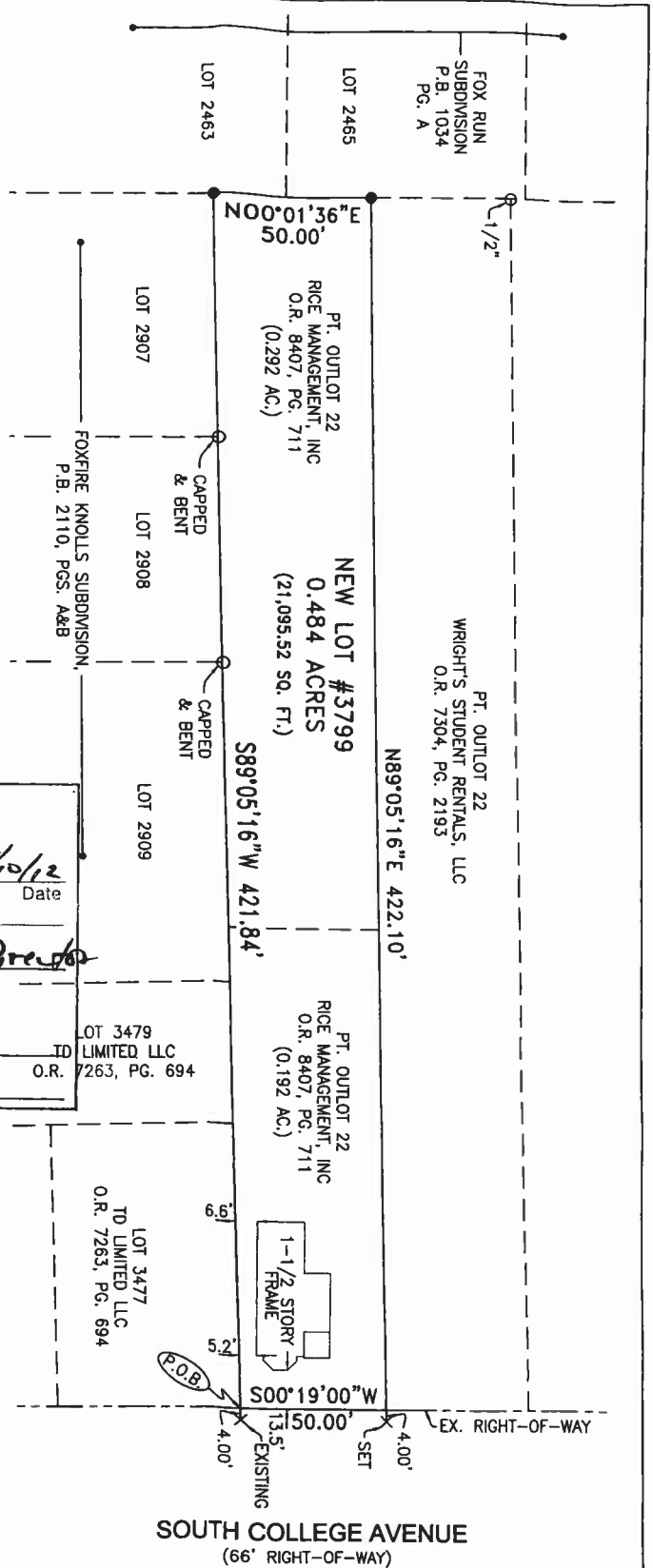
[Signature]
 Title

Notes:

LOT 3479
 TD LIMITED LLC
 O.R. 7263, PG. 694

I hereby state to the best of my knowledge, information and belief that the accompanying exhibit is the correct return of a field survey made under my direction.

[Signature] 4/20/12
 Todd K. Turner, P.S.
 Registered Surveyor #7684, in Ohio



SOUTH COLLEGE AVENUE
 (66' RIGHT-OF-WAY)

NOTE: THIS PLAT MADE PURSUANT TO SECTION 5713.16 OF THE OHIO REVISED CODE.

TRI-STATE LOCATION SERVICES 4839 OLD TOWER COURT FAIRFIELD, OHIO 45014 (P) 513-829-7722	LOT COMBINATION	
	NEW LOT #3799 PART OUTLOT 22 CITY OF OXFORD, BUTLER COUNTY, OHIO	
	DRAWN BY: T.K.T., P.S. SCALE: 1" = 50'	DATE: APRIL 20, 2012 JOB NUMBER: 93519

City of Oxford
Community Development Department
STAFF REPORT

Planning Commission

Case # PC-04-2012

Date – June 12, 2012

APPLICATION

Applicants:	Allen Ansorg
Location:	321 W. Spring Street
Owners	Daren Redpath/EVR Investment LLC
Action Request:	Conditional Use Permit Application to Establish a Drive-In/Drive-Through Fast Food Restaurant in a GB (General Business) District.
Current Use:	Vacant bank with a drive/through
Current Zoning	GB (General Business) District
Surrounding Existing Land Uses:	Vacant commercial site, retail and apartment complex

GENERAL DESCRIPTION

The Applicant is requesting approval of a Conditional Use Permit to establish a drive-in/drive-through restaurant at a current vacant site, formerly used by a bank. The Applicant intends to use only one drive-thru window for servicing purposes. The second lane will be turned into a shelter for sitting or eating. The Applicant also indicated that minimal modifications were needed to accommodate needed equipment.

SURROUNDING NEIGHBORHOOD

The zoning around this site is GB (General Business) District. There is a vacant commercial site to the south and east; retail to the west; an apartment complex to the southwest and a vehicle service/repair shop to the north.

ZONING CODE REGULATIONS

GB General Business District

1143.12(b)(2) Conditional Uses. The following Conditional Uses are subject to review and regulation in accordance with Chapter 1147.

- A Retail Services
 5. Drive-in and fast-food restaurants.

Conditional Use

The Purpose of Conditional Use regulations are in Section 1147.01(a):

“Purpose. Conditional Uses are land uses that are potentially appropriate in many zoning districts but that are likely to have characteristics that could be detrimental to the public health, safety, or general welfare if not located appropriately, operated appropriately, or mitigated with good design.”

§1143.12(b)(2)(5) GB District Conditional Uses:

STAFF FINDINGS: Drive-through restaurant facility is a Conditional Use.

§1147.03 Conditional Use: Use Specific Regulations and Potential Concerns:

(b)(10) Drive-Through Restaurant Facilities

A. Potential Concerns:

1. Design of vehicle management area.
2. Noise from operations (vehicles and loudspeaker).
3. Signs and menu boards.
4. Location and adequacy of dumpsters.

B. Regulations.

1. Drive-through stations shall not be located in a yard adjacent to a residential zoning district.
2. Cue Queue spaces shall not be located in a yard adjacent to a residential zoning district.
3. Drive-up stations shall be setback a minimum of 50 feet from a residential zoning district.

COMPREHENSIVE PLAN

The subject property is located in a corridor enhanced area identified in the 2008 Comprehensive Plan. The development intent for this area is to enhance landscaping, signage, and access along the corridor to improve the local image when entering the City; promote and attract new commercial uses, and enhance connectivity and the design of existing uses through public and private investment.

Relevant Land Use Principles that may be applicable to this request.

3. Infill development and redevelopment of underutilized sites is a priority

Objectives: Support the redevelopment of commercial areas along Locust Street

- LU 5.1. Focus future efforts on infill development and redevelopment of existing sites and not physical of commercial district.
- LU 5.2: Focus future uses on community oriented.
- LU 5.3: Enhance the Zoning Code to provide for increased buffering between commercial and residential uses including screening, noise restrictions, lighting restrictions, trash receptacle screening.
- LU 5.4 Develop additional pedestrian and bicycle linkages along Locust Street.
- LU 5.5 Create architectural and site controls for office, retail and residential uses along Locust Street to guide new development that complements the small

AGENCY COMMENTS

Fire	Returned without comment
Police	No comments returned
Engineering	Returned with comments
Economic Development	Returned with comments

PUBLIC COMMENT FORMS

None received.

DECISION CRITERIA

A copy of the Zoning Code Conditional Use Decision Standards is attached.

STAFF ANALYSIS

This application is to seek to reuse a former bank with a drive-through as an ice-cream drive-in/drive-through with minimal changes to the exterior of the building. The Applicant also plans to provide an outdoor seating arrangement throughout the site to provide a family-atmosphere and a central location for community members.

The Applicant also indicated that the planned business hours are between 11:00 a.m. to 9:30 p.m. to accommodate various community members. The business will be open only ten months of the year and be closed during winter months.

The site has a pedestrian sidewalk along Spring Street and separate vehicular ingress and egress points to provide a managed traffic movement. The site was designed and built to be automobile-oriented. Additional interior cross-walk markings would be ideal for pedestrians to access from the public sidewalk to the building, without competing with automobiles. The Applicant indicated that "highly visible" signage would be added in strategic locations to help protect pedestrians. The Applicant also indicated that additional crosswalks would be added from the shop to the grassy area in the center of the property.

This would seem to be a good reuse plan for the site and type of business to be located in this particular location. The idea of creating outdoor seating areas to be scattered around the site certainly projects additional ambience, specifically to the community that has a large number of community members walking to various places. The attached site plan shows that most of the picnic tables would be located to the rear of the property to allow patrons to sit and enjoy their food.

One concern is a potential waste management issue. When the business becomes successful, and outdoor seating and vehicles increase, the placement/number of trash containers may need addressed.

RECOMMENDATION

Not Applicable

SUBMITTED

BY: Jung Han Chen
Jung Han Chen,
Community Development Director

DATE: 6/1/12

ATTACHMENT

(c) Planning Commission Review. The Planning Commission shall base its review of a proposed Conditional Use upon the complete application, upon any staff report, and upon any relevant and credible public comment presented during the public hearing. If the Planning Commission finds that the information provided is insufficient to make a determination, it may suspend its review until sufficient information has been provided.

(1) Burden of proof.

A. Planning Commission has no obligation to recommend approval and City Council has no obligation to approve a Conditional Use. This Zoning Code assumes that the uses listed in this section are not appropriate unless an applicant proves that the use will not be detrimental to the public health, safety, or general welfare of the City or the neighborhood in which it is proposed.

B. Applicants shall prove that potential negative impacts of elements such as location, size and extent of facilities and operations, site design, traffic generation, site access, and potential impact upon public facilities will be adequately mitigated.

(2) General decision standards. All Conditional Uses shall satisfy these General Decision Standards:

A. The proposed use is in fact a Conditional Use in the zoning district in which it is proposed.

B. The use and site will satisfy the general intent of this Zoning Code.

C. The use and site will be compatible with the general intent of the Comprehensive Plan.

D. The size and shape of the site are sufficient for the proposed use.

E. The use will not be hazardous or disturbing to existing or potential future neighboring uses that are permitted in the zoning district.

F. The use will not involve activities, processes, materials, equipment, or conditions of operation that will be detrimental to any person, property, or the general welfare because of excessive production of traffic, noise, smoke, fumes, glare, odors, or other emissions.

G. The only accessory uses will be directly related to the operation of the principal use and will not be operated independent of the principal use.

H. The use and site will be adequately served by public facilities and services such as streets, water and sewer, drainage structures, police and fire protection, and refuse disposal, or adequate provisions will be made to provide the same services privately.

I. Development of the site and operation of the use will not require substantial public expenditure for additional infrastructure or services.

J. The site will be designed, constructed, and maintained in a character harmonious in appearance and general character with the existing or intended character of the general vicinity, and that such use will not change the essential character of the same area. Structures to be constructed, reconstructed, or altered in a residential zoning district shall have the appearance of residential buildings permitted in the zoning district.

K. The site is designed so that on-site traffic and traffic accessing the site will not inappropriately impact the movement of traffic on adjacent public streets.

L. Proposed construction will not result in the destruction, loss, or damage of a natural, scenic, or historic feature of major importance.

M. All necessary permits and licenses for the Conditional Use and its operation have been or can be obtained for the use at the proposed location.

City of Oxford
Inter-Office Review Transmittal Sheet



Date: 5/18/2012

To: **Fire Department** Engineering Division Police Department Economic Development

From: Community Development

Drawings are being submitted to you for the following:

PC-04-2012 CONDITIONAL USE, 321 W. Spring Street, to establish a drive-in/drive-through fast food restaurant in a GB (General Business) District, Allen Ansorg, Applicant, Agent

 X Review Revisions Other

Comments or status update requested by: Lynn Taylor

Please return no later than: **6/8/2012** Note: If no comments are received, we will assume the project meets your department's standards.

.....

Drawings are returned: w/comments without/comments

Drawings reviewed by:

Date: 5-18-12

City of Oxford
Inter-Office Review Transmittal Sheet

Date: 5/18/2012

To: Fire Department **Engineering Division** Police Department Economic Development

From: Community Development

Drawings are being submitted to you for the following:

PC-04-2012 CONDITIONAL USE, 321 W. Spring Street, to establish a drive-in/drive-through fast food restaurant in a GB (General Business) District, Allen Ansorg, Applicant, Agent

 X Review Revisions Other

Comments or status update requested by: Lynn Taylor

Please return no later than: **6/8/2012** Note: If no comments are received, we will assume the project meets your department's standards.

.....

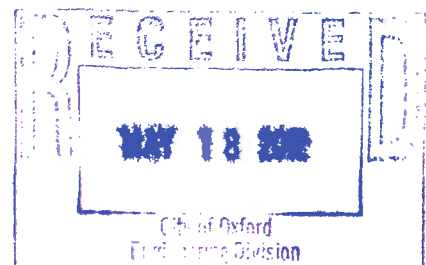
Drawings are returned: w/comments without/comments

SEE MEMO DATED 5-24-12.

Drawings reviewed by: _____

A. Ansorg

Date: 5-24-12





Memo

Service Department
Engineering Division

513/524-5208 fax 513/524-5267

TO: Community Development Department

FROM: Victor Popescu, P.E.
City Engineer

RE: PC-04-2012
321 W. Spring St.; Conditional Use

DATE: May 24, 2012

The following are our comments.

1. This being a commercial establishment (i.e. fast food), a backflow preventer must be part of the proposed establishment.
2. As a fast food establishment, grease will be a concern. A grease trap will be necessary.

City of Oxford
Inter-Office Review Transmittal Sheet

Date: 5/18/2012

To: Fire Department Engineering Division Police Department ~~Economic Development~~

From: Community Development

Drawings are being submitted to you for the following:

PC-04-2012 CONDITIONAL USE, 321 W. Spring Street, to establish a drive-in/drive-through fast food restaurant in a GB (General Business) District, **Allen Ansorg, Applicant, Agent**

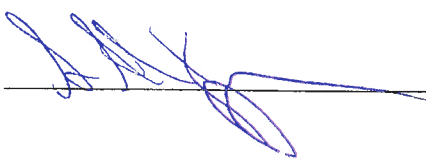
 X Review Revisions Other

Comments or status update requested by: Lynn Taylor

Please return no later than: **6/8/2012** Note: If no comments are received, we will assume the project meets your department's standards.

.....
Drawings are returned: w/comments without/comments

Mr. Ansorg is redeveloping a vacated bank building which had an approved drive through window. As I understand it, the new use will consist of mainly ice cream sales and some food and coffee sales. This would seem to create a fairly low impact use of the drive through facilities. This application seems to be an ideal reuse plan for this site.

Drawings reviewed by: 

Date: 6-4-2012

PC-04-2012

Legend

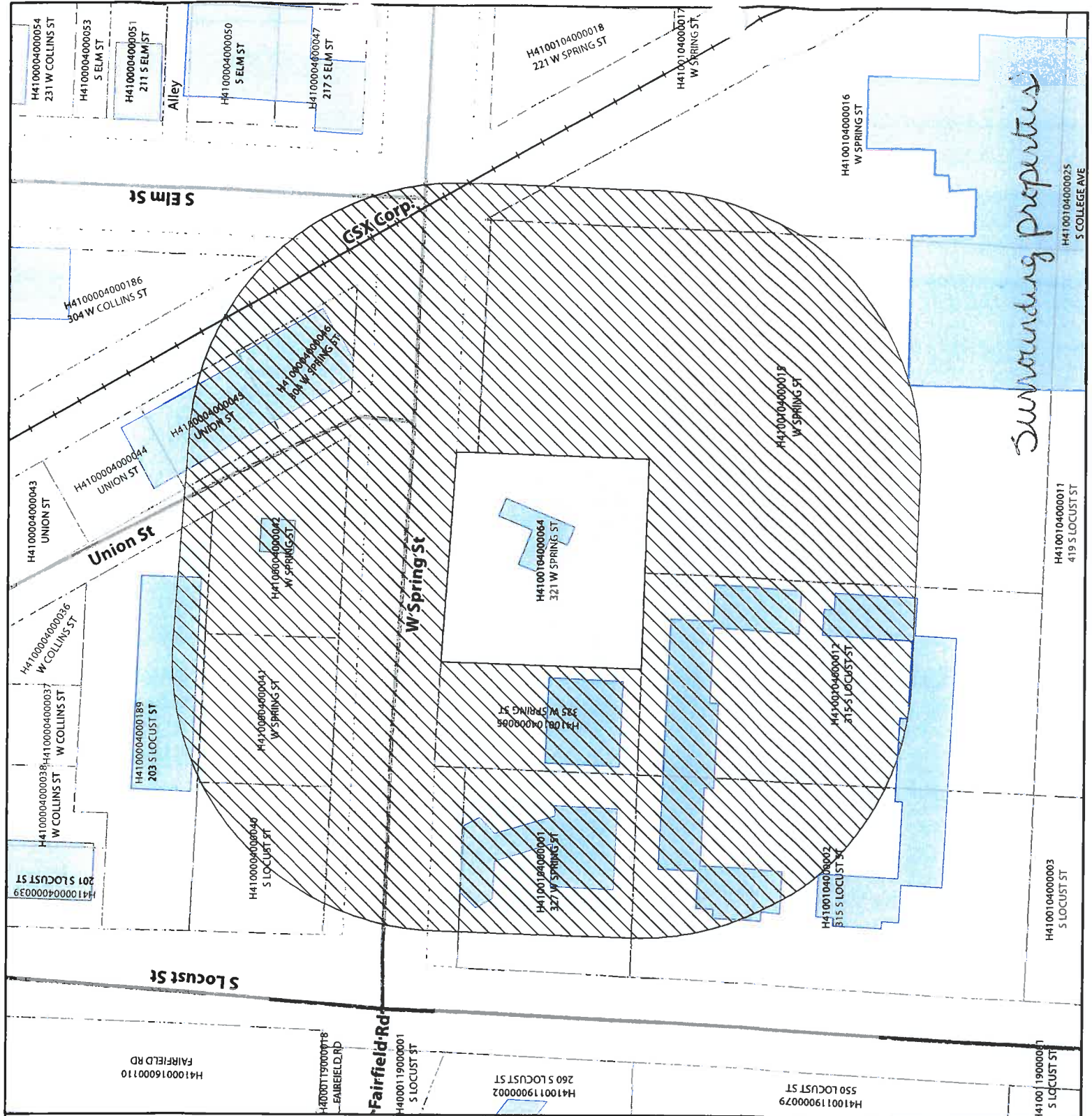
-  321 West Spring Street
-  200 Ft. Buffer
-  Oxford Corporation Limit
-  Parcel
-  16.5' Vacated ROW
-  Building Footprint
-  Paved Roadway



1 inch = 100 feet



The City of Oxford does not guarantee the dimensional accuracy of this map. Precise dimensional accuracy should be based upon recorded deeds, plats or a professional survey.



From: Daren Redpath <d_redpath@msn.com>
To: Allen Ansorg <allenansorg@aol.com>
Subject: Permit Letter
Date: Tue, Apr 24, 2012 11:57 am

EVR Investments LLC.
853 S. State Rd. 101
Liberty, Indiana 47353
765-458-7414

Allen Ansorg
Spring Street Treats
321 W. Spring St.
Oxford, Ohio 45056

City Of Oxford
High Street
Oxford, Ohio 45056

Re: Conditional use permit letter of agency

This applicant is permitted by EVR Investments LLC. to apply for a conditional use permit for a drive through at the property located at 321 W. Spring St., Oxford, Ohio 45056.

Any questions please contact Daren Redpath at 765-458-7414.

Thank you,

Daren Redpath
Managing Member
EVR Investments LLC.

Conditional Use Permit Application

City of Oxford, Ohio

6/12/12 mtg 7/27

REQUIRED INFORMATION (print clearly)

Name of Applicant:

Allen Ansorg

Mailing Address:

(Attach a letter of agency if the Applicant is not the property owner)

6462 Contreras Rd., Oxford, OH 45056

Telephone Number(s):

mobile: (513) 405-3282

Email Address allen@springstreettrai.co

home: (513) 524-3046

Name of Property Owner (if other than Applicant)

Daren Redpath

Location of Property:

321 W. Spring St., Oxford, OH 45056

Legal Description:

Lot 2685

Zoning District:

GB

Total Area:

0.51

(Acres / Square Feet (circle one))

Existing Use Description:

Property was vacant for about four years

it was formerly a small bank with two drive through lanes

Proposed Use Description:

Spring Street Treats - a home town snack shop
serving soft serve, hot dogs, soft pretzels and other snacks.

SUBMISSION REQUIREMENTS

The required fee of \$400.00 plus actual postage, made payable to the City of Oxford, must accompany the application. The entire submission must be prepared in accordance with Chapter 1147, Conditional Uses, of the Zoning Code of the City of Oxford.

Attach thirteen (13) copies of a site plan indicating the following:

1. North arrow
2. Scale
3. Vicinity Map
4. All existing and proposed lot lines within the site
5. Dimensions of all lots and of the entire site and any adjacent rights-of-way
6. Location, height, and use of all proposed and existing structures
7. Location and design of all proposed vehicle management areas
8. Location, size, and type of all proposed signs
9. Location, height, and type of all proposed screening and landscaping
10. Distances to residential zoning districts if within 1,000 feet
11. The use of land and location of structures on adjacent property and across adjacent rights-of-way
12. Elevations of proposed structure, or typical elevations if structures are not yet designed, shall be required by the Zoning Administrator if the proposed location, height, or bulk of the structure is such that it may negatively affect an adjacent use
13. Photographs of the existing use and its surroundings.
14. Other information as required by the Planning Commission

Attach a Narrative Statement describing how the proposed Conditional Use meets the following Decision Standards of the zoning district in which it is to be located:

- A. The proposed use is in fact a Conditional Use in the zoning district in which it is proposed.
- B. The use and site will satisfy the general intent of this Zoning Code.
- C. The use and site will be compatible with the general intent of the Comprehensive Plan.
- D. The size and shape of the site are sufficient for the proposed use.
- E. The use will not be hazardous or disturbing to existing or potential future neighboring uses that are permitted in the zoning district.

- F. The use will not involve activities, processes, materials, equipment, or conditions of operation that will be detrimental to any person, property, or the general welfare because of excessive production of traffic, noise, smoke, fumes, glare, odors, or other emissions.
- G. The only accessory uses will be directly related to the operation of the principal use and will not be operated independent of the principal use.
- H. The use and site will be adequately served by public facilities and services such as streets, water and sewer, drainage structures, police and fire protection, and refuse disposal, or adequate provisions will be made to provide the same services privately.
- I. Development of the site and operation of the use will not require substantial public expenditure for additional infrastructure or services.
- J. The site will be designed, constructed, and maintained in a character harmonious in appearance and general character with the existing or intended character of the general vicinity, and that such use will not change the essential character of the same area. Structures to be constructed, reconstructed, or altered in a residential zoning district shall have the appearance of residential buildings permitted in the zoning district.
- K. The site is designed so that on-site traffic and traffic accessing the site will not inappropriately impact the movement of traffic on adjacent public streets.
- L. Proposed construction will not result in the destruction, loss, or damage of a natural, scenic, or historic feature of major importance.
- M. All necessary permits and licenses for the Conditional Uses and its operation have been or can be obtained for the use at the proposed location.

On a separate sheet of paper, provide the names and addresses of all adjoining property owners within 200 feet of the site, including those across streets, roads, alleys and highways. *Property Owner names will not be included in the agenda packet.

NOTE: The Butler County website (www.butlercountyohio.org/auditor) is very helpful when searching for the mailing address of adjoining property owners. Once the site is up, click on online searches, then click on real estate. It will allow you to search by owner, address or parcel number.

All materials must be delivered to the office of the Community Development Director, City of Oxford, 101 East High Street, Oxford, Ohio 45056. Any questions should be directed to the Community Development Department at (513) 524-5204. The issue will be placed on the next possible agenda.

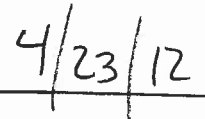
Incomplete applications will not be processed.

NOTE: Notification and publication requirements must be adhered to. Submit materials 45 days prior to the proposed meeting date. City Staff will erect a public hearing sign on the subject property. It is the Applicant's responsibility to remove the signage once the hearing(s) are completed.


Signature of Applicant


Printed Name

Date:



FEE / RECEIPT

\$400 Fee plus Postage Paid / Receipt Number: 17575.32

Conditional Use Permit Application Narrative Statement

Submitted on April 26, 2012 by Allen Ansorg for

Spring Street Treats

321 West Spring Street, Oxford, OH 45056

How the proposed Conditional Use meets the following Decision Standards of the zoning district in which it is to be located:

- A. The proposed use is in fact a Conditional Use in the zoning district in which it is proposed.*** Conditional use applies to 321 W. Spring St. because of the existence of a drive through service window. Spring Street Treats will be a hometown small business that serves soft serve ice cream and other treats for onsite consumption and from our drive through service window. Drive through service is common in the fast food industry and customers expect and will utilize this convenient option. The business location has been vacant for approximately four years and was formerly a bank with two drive through service lanes. Spring Street Treats will only use a single drive through lane that runs directly next to the building. The other extra lane will be converted into a sheltered on premise sitting and eating area.
- B. The use and site will satisfy the general intent of this Zoning Code.*** 321 W. Spring St. is located within Oxford's General Business (GB) district and is zoned for restaurant / retail use.
- C. The use and site will be compatible with the general intent of the Comprehensive Plan.*** The Land Use Chapter of the Comprehensive Plan emphasizes the importance of redeveloping and filling in the vacant and underutilized business sites in Oxford. This has been identified by community member feedback as a priority for the city to aid in its economic growth and overall appearance. The vacant former Wal*Mart property was specifically named as a "weak place" in the city according to the Comprehensive Plan. 321 W. Spring St. has been vacant for about four years and is located right next to the vacant Wal*Mart location. Starting Spring Street Treats in this location will create jobs and increase tax revenue for Oxford, both of which will improve the city's fiscal health, as explained in the Comprehensive Plan.
- D. The size and shape of the site are sufficient for the proposed use.*** The size and shape of 321 W. Spring St. are perfect for the Spring Street Treat business. There is ample parking available on site and in the immediate vicinity. The grassy areas of the property will have benches and tables scattered throughout it for individuals and groups to enjoy their treats. The property is also tree lined which adds to the appeal and appearance of the area.
- E. The use will not be hazardous or disturbing to existing or potential future neighboring uses that are permitted in the zoning district.*** Spring Street Treats will not present any hazards

to existing or potentially neighboring uses. If concerns arise, I will do my best to mitigate them. There is an apartment complex (Locust South Apartments) neighboring the southern edge of the property. Only a few (I estimate four) of the apartments in the complex have the direct potential to be negatively affected by any possible visual or noise concerns. Multiple mature trees follow the property line between the two properties helping to separate them. These trees help create a visual and sound barrier. Additional barriers (such as trees, bushes or fence) could be added to help further insulate the apartments if needed. The two properties did coexist for many years when 321 W. Spring St. was formerly a bank location. Otherwise, there are not many other neighbors that can be negatively impacted by the business presence. Spring Street Treats is intended to be a benefit to the community. The goal is to bring additional customers to other businesses in the area and provide a fun and safe business to the west side of Oxford. 321 W. Spring St. and the large neighboring former Wal-Mart location have been vacant and unused for many years. Creating Spring Street Treats will bring jobs, tax revenue and an enjoyable experience to Oxford. As part of the General Business District, 321 W. Spring St. is zoned and intended for food service use.

- F. The use will not involve activities, processes, materials, equipment, or conditions of operation that will be detrimental to any person, property, or the general welfare because of excessive production of traffic, noise, smoke, fumes, glare, odors, or other emissions.*** Spring Street Treats will not have or create or operate under any of these conditions. Spring Street Treats is a hometown snack shop offering treats to residents and visitors to Oxford to enjoy in a clean, safe and enjoyable atmosphere. Menu items will include soft serve, hot dogs, side dishes, soft pretzels and Coca-Cola products. A limited selection of unique bulk candy and seasonal retail items will also be available. None of the restaurant equipment used to operate the business will have an open flame, thus reducing the potential for odor, smoke, fumes or personal / property damage due to a possible fire. At a mere 631 square feet, the business is small and efficient. There are exits at the north and south ends of the building. There will be no additional exterior lighting added to the property than currently exists and was in use when the former bank was in operation.
- G. The only accessory uses will be directly related to the operation of the principal use and will not be operated independent of the principal use.*** Spring Street Treats has no intention of creating any accessory uses for the business location. We will sell delicious treats to the residents of and visitors to Oxford in a clean, safe and welcoming atmosphere. Currently planned business hours are 11 AM to 9:30 PM. The business likely will operate just ten months of the year and be closed seasonally during the months of January and February annually. It is a seasonal business, so the number of customers will vary throughout the course of the year. I expect to average about 150 customers a day.
- H. The use and site will be adequately served by public facilities and services such as streets, water and sewer, drainage structures, police and fire protection, and refuse disposal, or adequate provisions will be made to provide the same services privately.*** Spring Street Treats is accessible directly off of W. Spring St.. There are new, accessible sidewalks in

front of the property. City water, sewer and trash services are currently in use. No dumpster will be used. Two or three waste wheelers provided by Rumpke will be placed on the property. Four large drainage structures are strategically located on the site. Oxford Fire Department is caddy-corner to Spring Street Treats less than 100 yards away. I have informed Oxford Police of the new business and have sent my contact information to Perry Gordon, Business Liaison Officer for the Oxford Police.

- I. Development of the site and operation of the use will not require substantial public expenditure for additional infrastructure or services.*** The existing design of the site will not be changed from its current, original state. I do not foresee development of the site and operation of the use requiring any public expenditure. Improvements have been made and more will be performed to help control vehicular traffic and ensure the safety of visitors. Two crosswalks will be added from the shop to the grassy area in the center of the property. Directional arrows for vehicular traffic will be improved and increased with signage and arrows painted on the roadway to clearly indicate the flow of traffic and require a slow rate of speed on the property. Highly visible signage such as “caution children” and “crosswalk” will be added in strategic locations to help protect pedestrians.
- J. The site will be designed, constructed and maintained in a character harmonious in appearance and general character with the existing or intended character of the general vicinity, and that such use will not change the essential character of the same area. Structures to be constructed, reconstructed, or altered in a residential zoning district shall have the appearance of residential buildings permitted in the zoning district.*** The existing building will not be structurally altered from its original and current design. The business location is not in a residential zoned area. No additional structures will be constructed on the site. The facility will be well maintained to be clean, safe and welcoming. The building has already been painted inside and out and has been improved dramatically from its former appearance.
- K. The site is designed so that on-site traffic and traffic accessing the site will not inappropriately impact the movement of traffic on adjacent public streets.*** On site-traffic flow is appropriate and well designed. Upon entering 321 W. Spring St. vehicular traffic can proceed to the east side of the building to park or the west side of the building to access our drive through service window. These two areas merge slowly to exit the property. All traffic flow is clockwise in one direction. Traffic directional flow will be well marked and easily understandable. The eastbound and westbound roadways in front of the business location are very wide. Eastbound vehicular traffic can turn directly into the business entry driveway safely with excellent pedestrian visibility. Vehicles traveling westbound on W. Spring St. can stop in front of the business location safely without impeding westbound traffic flow due to the wide roadway. Deliveries to Spring Street Treats will be minimal as I intend to use just a few vendors. Pedestrian access to the site is safe. A location will be set up for stroller and bicycle parking.
- L. Proposed construction will not result in the destruction, loss, or damage of a natural, scenic, or historic feature of major importance.*** There will be no external construction at

321 W. Spring St. from its current original design and use. No historic features will be negatively impacted.

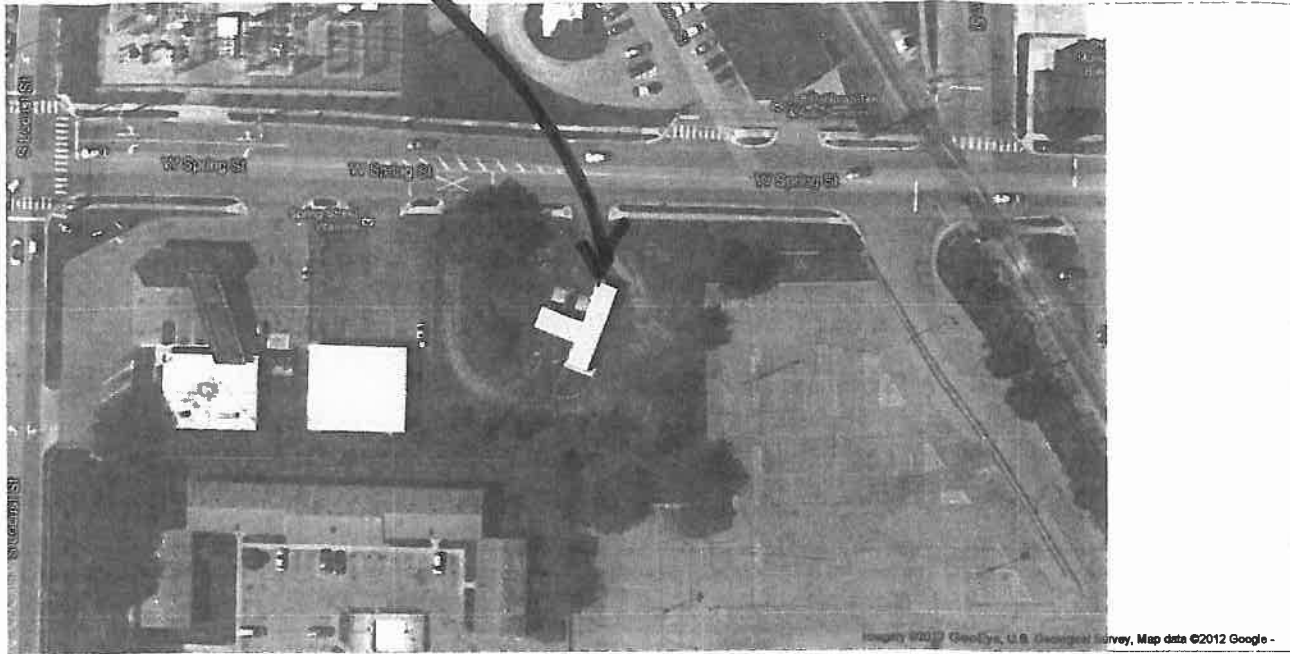
M. All necessary permits and licenses for the Conditional Uses and its operation have been or can be obtained for the use of the proposed location. Necessary permits and licenses have been or will be obtained as required to properly start and operate the business.

Submitted by:

*Allen Ansorg (owner)
Spring Street Treats
312 W. Spring St.
Oxford, OH 45056*

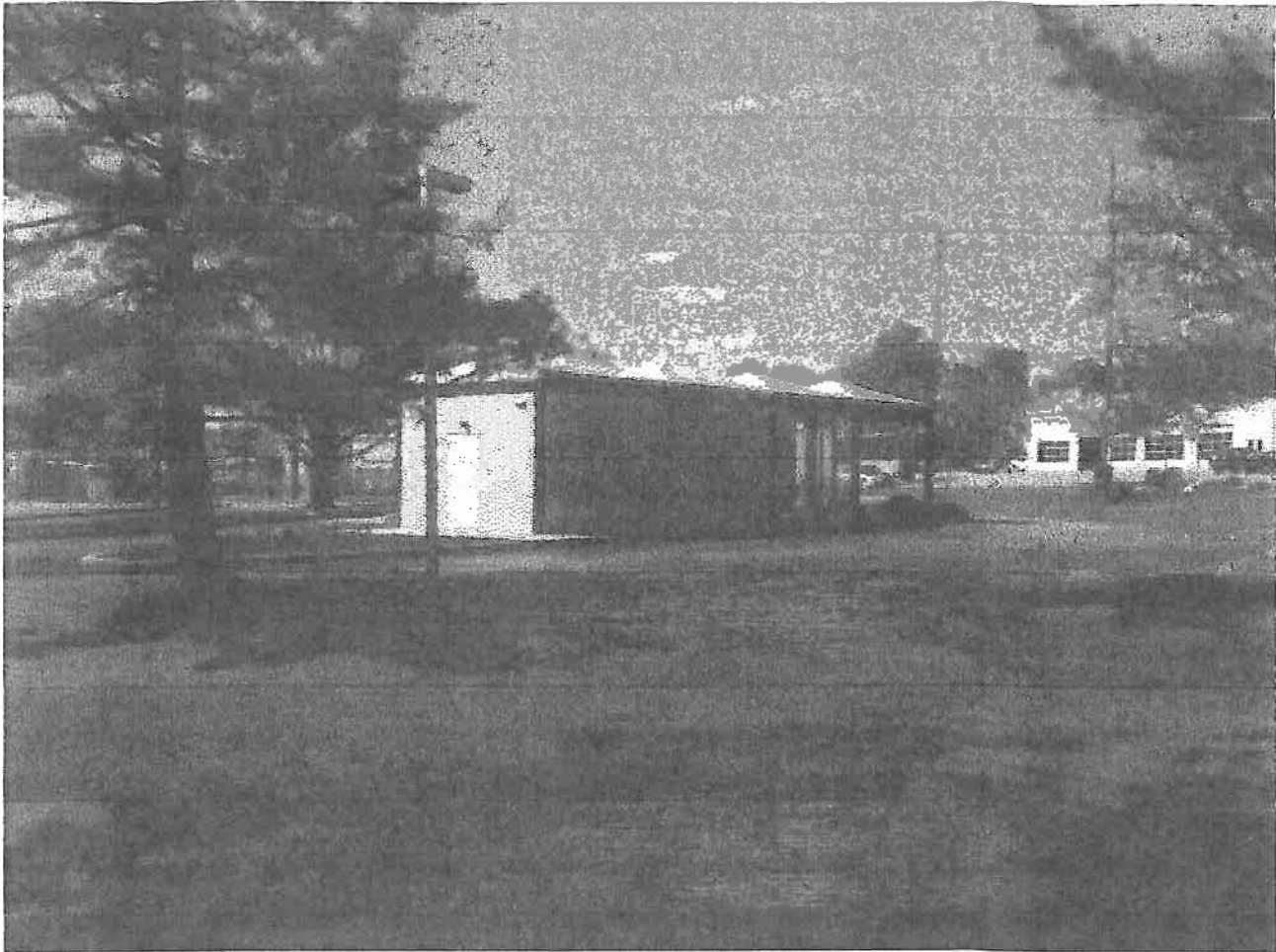
*Mobile #: 405-3282
Home #: 524-3026
Email: allen@springstreettreats.com
Website: www.springstreettreats.com*

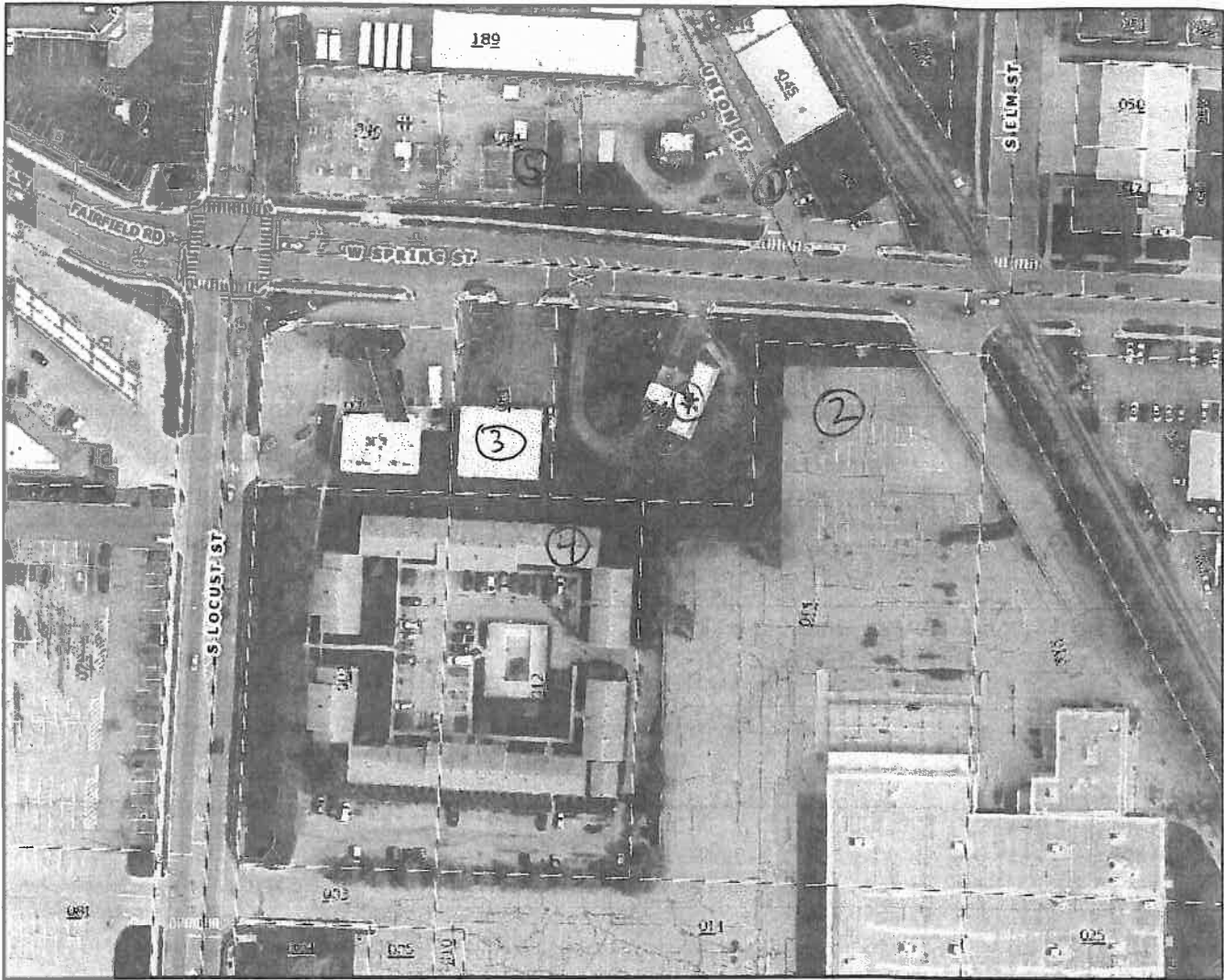
*Home Address:
6462 Contreras Rd.
Oxford, OH 45056*











FOR INFORMATION PURPOSE ONLY NOT INTENDED FOR USE AS A SURVEY

Names and addresses of all adjoining property owners within 200 feet of the site.

* = Spring Street Treats, 321 W. Spring St.

(1), (2) & (3) Properties owned by EVR Investments LLC, 853 S. State Rd. 101,
Liberty, IN 47353

(4) Locust South Apartments, owned by Day Estates LLC, 5273 College Corner Pike,
Oxford, OH 45056-2061

(5) owned by Duke Energy Ohio Inc, Property Tax Division, 550 S. Tryon St.,
PO Box 1321, Charlotte, NC 28202

City of Oxford
Community Development Department
STAFF REPORT

Planning Commission

Case # PC-06-2012

Date – June 12, 2012

APPLICATION

Applicant:	City of Oxford
Action Request:	Zone Map Amendment to amend the zoning designation of certain property, approximately 304.704 acres of land along SR 73, being parcel # H3610027000008, Parcel #H3610027000009, Parcel # H3510027000007 and Parcel #H3610027000005 from Oxford Township f A-1 and B-PUD to City of Oxford University (MU) District and Office and light Industrial (OI) Districts.
Address:	
Parcels:	H3610027000008, H3610027000009, H3510027000007 and H3610027000005

DESCRIPTION

There are four parcels included in this application; three are owned by Miami University and one is owned by Joanne Pelly Means. The parcel owned by Ms. Means was the subject of a County zoning map amendment in 2007 from A-1 to B-PUD in order to facilitate a proposed tech park development. Due to the scope of the proposed development, municipal services/utilities are critical for the marketing of the project. Additionally, the site has received the State of Ohio Job Ready Site Grant for the proposed development which further triggered the need for adequate services. A representative for Ms. Means worked with the City to enter into a pre-annexation agreement to outline each party's duties and responsibilities. In that agreement, it stipulated that the zoning of the site should be consistent with County zoning.

However, the site could not be singularly annexed into the City unless all parcels between the site and the existing corporate boundary were annexed. Therefore, this annexation request that was approved by City Council in 2012 with the passage of Ordinance # 3170, include Miami-owned properties. Additionally, the utility provider for the rural part of the County would not be able to supply all the needed utilities for the development as the owner had envisioned.

The parcel, #3610027000005, owned by Joanne Pelly Means, is currently zoned B-PUD and the Miami University parcels are zoned A-1, based on the County Land Use classifications.

Please refer to the attached map for the location of these parcels.

SURROUNDING NEIGHBORHOOD

The municipal zoning in the vicinity of this site is "MU" Miami University to the west; County A-1 to the north, south and east.

COMPREHENSIVE PLAN

Land Use Principle

4. Future growth at the edge of the city will preserve open space, protect the area's rural character, and be consistent with other principles
6. New commercial and light industrial development will be developed with pedestrian amenities and green spaces.

Economic Development Objective: Improve the residents work force through new employment services

ED 3.2 Continue to work with the CIC and Miami University to development economic strategies especially related to research and development.

AGENCY COMMENTS

Fire	Returned without comment
Police	No comments returned
Engineering	Returned without comment
Economic Development	Returned without comment

PUBLIC COMMENT FORMS

No comments have been received to date.

STAFF ANALYSIS

The annexation of this parcel, #H3610027000005, was based on a pre-annexation agreement as a result of receiving the State of Ohio Job Ready Site Grant for the development of a proposed tech park. In order to facilitate the development at this site, municipal utility services are critically needed and no municipal services can be provided unless all parcels between this site and the existing Corporation boundary are annexed. Additionally, the pre-annexation agreement also stipulated the type of land use the site, parcel # H3610027000005, for the development of the tech park. Therefore, the recommended land use should be consistent with the county approved land use category. The remaining parcels are owned by Miami University and are recommended to be zoned as "MU" Miami University District.

RECOMMENDATION

Not Applicable.

SUBMITTED

BY:


Jung-Han Chen
Community Development Department

DATE: May 30, 2012

City of Oxford
Inter-Office Review Transmittal Sheet

1/24

Date: 5/18/2012

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

Drawings are being submitted to you for the following:

PC-06-2012 ZONING MAP AMENDMENT to amend the zoning designations of certain property, approximately 304.7 acres of land along SR 73, being Parcel # H3610027000008, Parcel # H3610027000009, Parcel # H3510027000007 and Parcel # H3610027000005 from Oxford Township A1 and B-PUD to City of Oxford Miami University (MU) and Office & Light Industrial (OI) Districts, **City of Oxford, Applicant**

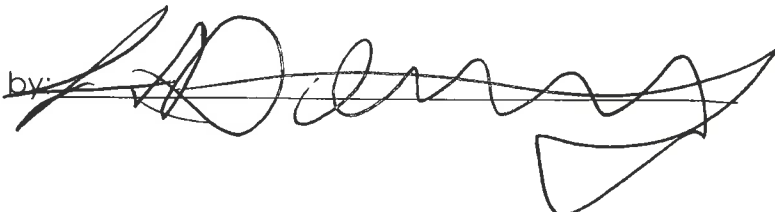
 X Review Revisions Other

Comments or status update requested by: Lynn Taylor

Please return no later than: **6/8/2012** Note: If no comments are received, we will assume the project meets your department's standards.

.....
Drawings are returned: w/comments without/comments

Drawings reviewed by:



Date: 5-18-12

City of Oxford
Inter-Office Review Transmittal Sheet

Date: 5/18/2012

To: Fire Department Engineering Division Police Department **Economic Development**

From: Community Development

Drawings are being submitted to you for the following:

PC-06-2012 ZONING MAP AMENDMENT to amend the zoning designations of certain property, approximately 304.7 acres of land along SR 73, being Parcel # H3610027000008, Parcel # H3610027000009, Parcel # H3510027000007 and Parcel # H3610027000005 from Oxford Township A1 and B-PUD to City of Oxford Miami University (MU) and Office & Light Industrial (OI) Districts, **City of Oxford, Applicant**

 X Review Revisions Other

Comments or status update requested by: Lynn Taylor

Please return no later than: **6/8/2012** Note: If no comments are received, we will assume the project meets your department's standards.

.....
Drawings are returned: w/comments without/comments

Drawings reviewed by: _____

Date: June-4-2012

**CITY OF OXFORD
STAFF SUMMARY REPORT**

PC-06-2012

Report to the City Manager

City Manager

Originating Department

Council Meeting Of: February 21, 2012

Doug Elliott

Account Code No. #: N/A

Prepared By

Budgeted Amount: N/A

February 14, 2012

Date Prepared

Agenda Title: An Ordinance Accepting The Annexation Petition From Douglas R. Elliott, Jr. For 304.704 Acres Of Land In The Township Of Oxford, Ohio And Accepting Said Territory To Be Annexed.

Recommendation: Adopt the Ordinance

Discussion:

On December 15, 2011 the Butler County Board of Commissioners approved the petition for the annexation of 304.7 acres of land in Oxford Township to the City of Oxford. The petition included four parcels of land with three owned by the Miami University Trustees and the fourth owned by the Joanne Pelly Means, Trust. Sixty days after receipt of this record of approval from the County Clerk's Office, City Council must pass legislation accepting the annexation. The City sought annexation of this land so that water and sewer services may be provided to the Miami Heritage Tech Park by the developer and to receive any future income tax revenue from the development of the Miami Heritage Tech Park through the Job Ready Site Grant.

Approved By:

Department Head:

City Attorney:

City Manager:

Initial Date

DRE 2/17/12

ORDINANCE NO. 3170

AN ORDINANCE ACCEPTING THE ANNEXATION PETITION FROM DOUGLAS R. ELLIOTT, JR. FOR 304.704 ACRES OF LAND IN THE TOWNSHIP OF OXFORD, OHIO, AND ACCEPTING SAID TERRITORY TO BE ANNEXED.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF OXFORD, BUTLER COUNTY, STATE OF OHIO, THAT:

SECTION 1: On October 31, 2011, Douglas R. Elliott, Jr., Agent for the Joanne Pelley Means Trust and The President and Trustees of The Miami University of Oxford, Ohio, filed a petition with the Board of County Commissioners of Butler County, Ohio, to obtain annexation to the City of Oxford, Butler County, Ohio, territories consisting of 304.704 acres of land contiguous to the City of Oxford and the existing corporation line of the Township of Oxford, Ohio. Said petition was filed with the consent of all parties utilizing the annexation procedure set forth in Section 709.023 of the Ohio Revised Code.

SECTION 2: The Board of County Commissioners did, by Resolution No.11-12-5936 adopted on December 15, 2011, approve the annexation of the proposed territory to the City of Oxford as hereinafter described. Such approval was subject to the terms and conditions contained in the Statement of Services Resolution No. 4644, a copy of which is attached hereto as Exhibit "A" and incorporated herein by reference.

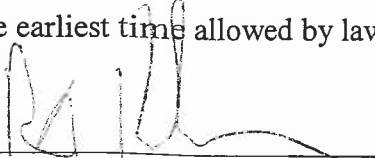
SECTION 3: The Board of County Commissioners did, through the Clerk of the Board of County Commissioners, Butler County, Ohio, certify a transcript of the proceedings in connection with the map and petition required herein to the Clerk of Oxford City Council who received the same on or about December 22, 2011.

SECTION 4: A certified transcript of the proceedings for annexation with an accurate map of the territory, together with the petition for annexation and the papers relating to all proceedings heretofore with the County Commissioners, are all on file with the Clerk of the City of Oxford, and have been for more than sixty (60) days.

SECTION 5: The proposed annexation, as applied for in the petition of the Joanne Pelley Means Trust and The President and Trustees of the Miami University of Oxford, Ohio, owners of the real estate in the territory sought to be annexed and filed with the Board of County Commissioners, Butler County, Ohio, in which the petition prayed for annexation to the City of Oxford, Ohio, of certain territory adjacent thereto as hereinafter described, be and the same is hereby accepted and deemed annexed to the City of Oxford, subject to all the terms and conditions provided herein and contained within the Statement of Services Resolution No. 4644 attached hereto and incorporated herein as Exhibit "A" and the Pre-annexation Agreement Resolution No. 4627, attached hereto and incorporated herein as Exhibit "B". The territory to be annexed is more particularly described in Exhibits "C" and "D," attached hereto and incorporated herein.

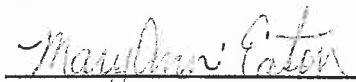
SECTION 6: The Clerk of the City of Oxford be and is hereby authorized and directed to make five copies of this ordinance, to each of which shall be attached a copy of the map accompanying this petition for annexation, a copy of the transcript of the proceedings of the Board of County Commissioners of Butler County, Ohio, related thereto, and certified as to the correctness thereof. The Clerk shall then forthwith deliver one copy to the County Auditor, one copy to the County Recorder, one copy to the County Engineer, and one copy to the Ohio Secretary of State and shall file notice of this annexation with the Board of Elections within thirty (30) days after it becomes effective and the Clerk shall do all other things as required by law.

SECTION 7: This Ordinance shall take effect at the earliest time allowed by law.


MAYOR

ADOPTED: March 6, 2012

ATTEST:


CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: RICHARD KEEBLER

PREPARED BY: LAW (STAFF)

RESOLUTION NO. 4644

RESOLUTION ADOPTING A STATEMENT INDICATING THE SERVICES THE CITY OF OXFORD, OHIO WILL PROVIDE TO THE TERRITORY PROPOSED TO BE ANNEXED TO THE CITY OF OXFORD, OHIO PURSUANT TO A PETITION FILED WITH THE BOARD OF COUNTY COMMISSIONERS OF BUTLER COUNTY, OHIO BY DOUGLAS R. ELLIOTT JR., AGENT FOR PETITIONERS, AS PROVIDED BY OHIO REVISED CODE SECTION 709.023.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OXFORD, BUTLER COUNTY, STATE OF OHIO, THAT:

SECTION 1: Council, having received the notification of a petition for annexation from The President and Trustees of Miami University of Oxford, Ohio, and Joanne Pelley Means, Trustee for 304.704 acres of land in the Township of Oxford, Butler County, Ohio hereby accepts said petition.

SECTION 2: Council hereby adopts this resolution indicating what services the City will provide to the land to be annexed to the City in accordance with Ohio Revised Code Section 709.023(C).

SECTION 3: The City of Oxford, Ohio hereby states that it will provide, upon the finalization of the annexation, the following services to the Territory: law enforcement, recreation programming, maintenance of any and all public streets and alleyways, keeping same open, in repair and free from nuisance, and professional planning staff all shall be available immediately upon finalization of the annexation; in addition, the facilitation of public utility services which include potable water, sanitary and storm sewerage, solid waste collection and disposal, street lighting and fire inspection, fire protection, paramedic and ambulance services, and any and all other services provided to or made available to the Citizens of the City of Oxford, Ohio, as appropriate shall be available as the Territory is developed and such services become appropriate. Extension of all public utility services shall be subject to such regulations and conditions as the City deems appropriate.

SECTION 4: If the Territory becomes subject to zoning by the City and the City permits uses in the annexed territory that the City determines are 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, City Council will require, in the zoning ordinance permitting the incompatible uses, the Petitioner to provide a buffer separating the use of the Territory and the adjacent land remaining within the township.

SECTION 5: The Clerk is hereby directed to forward a copy of this resolution to the Board of County Commissioners of Butler County, Ohio.

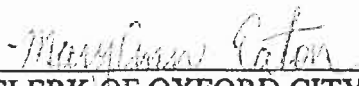
SECTION 6: This resolution shall take effect at the earliest date allowed by law.



MAYOR

ADOPTED: November 15, 2011

ATTEST:



CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: RICHARD KEEBLER

PREPARED BY: LAW (STAFF)

RESOLUTION NO. 4627

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A PRE-ANNEXATION AGREEMENT WITH THE JOANNE PELLEY MEANS, TRUST FOR LAND IN THE TOWNSHIP OF OXFORD, BUTLER COUNTY OHIO TO BE ANNEXED INTO THE CITY OF OXFORD, BUTLER COUNTY OHIO, SUBJECT TO THE CONDITIONS STIPULATED IN THE PRE-ANNEXATION AGREEMENT.

NOW THEREFORE BE IT RESOLVED BY THE COUNCIL FOR THE CITY OF OXFORD, BUTLER COUNTY, STATE OF OHIO THAT:

SECTION 1: Mr. Todd Dockum, Agent, for Joanne Pelley Means, Trust, wishes to construct an Office and Research Technology Park on property located in Oxford Township.

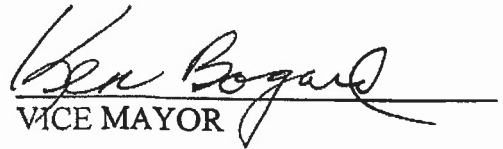
SECTION 2: Mr. Todd Dockum and the City would like the Property to be annexed into the City under certain terms and conditions.

SECTION 3: Council hereby approves the Pre-Annexation Agreement and authorizes the City Manager to sign the same in substantially the same form as the agreement attached hereto as Exhibit "A" and incorporated herein.

SECTION 4: Council finds that the annexation of the property in accordance with the terms of the Pre-Annexation Agreement is in the best interests of the City and would promote the health, safety and welfare of the citizens and hereby approves the same.

SECTION 5: The City Manager is hereby directed to execute the Pre-Annexation Agreement on behalf of the City.

SECTION 6: This resolution shall take effect at the earliest date allowed by law.


VICE MAYOR

ADOPTED: September 6, 2011

ATTEST: 
CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KEN BOGARD

PREPARED BY: LAW (STAFF)

PRE-ANNEXATION AGREEMENT

This Pre-Annexation Agreement is hereby entered into this 27 day of Oct 2011, by and between the City of Oxford, Ohio, a municipal corporation, hereinafter referred to as "City", and Joanne Pelly Means, Trust, hereinafter referred to as "Owner".

WHEREAS, the Owner owns property in Oxford Township, parcel number H3610027000005 (see attachment "A"), hereinafter referred to as "Property"; and

WHEREAS, the Owner would like to construct an office and research technology park; and

WHEREAS, the Owner and the City would like the Property annexed into the City under certain terms and conditions; and

WHEREAS, the Owner and the City would like to agree in advance on the conditions of such an annexation;

NOW, THEREFORE, the City and Owner hereby enter into this Agreement on the terms and conditions stated below for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged:

1. The Owner agrees to file an annexation petition for the Property to annex it to the City within thirty (30) days after execution of this Agreement.
2. The City has agreed to take those actions required to annex the Property at the earliest time practical after the execution of the Agreement.
3. The City agrees to accept the application to rezone the Property after the execution of this Agreement and to have the application heard by the Planning Commission at the first available date. The application will seek to rezone the property Office and Light Industrial (OI), keeping the Property as an equivalent to its current Butler County zoning code of Business Planned Unit Development District (B-PUD). City Council will consider the rezoning application request as soon as practical following annexation of the Property to the City.
4. The City shall permit the Owner to allow crop farming of a portion of the land as a non-conforming use.
5. The City agrees to make municipal water service available to the Property. The cost to connect to an approved municipal water service to the Property will be the Owner's responsibility. The installation of the said connection to the municipal water service shall conform to the specifications and standards of the City's ordinance and regulations existing at the time municipal water service is installed on the Property, and shall be approved by the City Engineer.

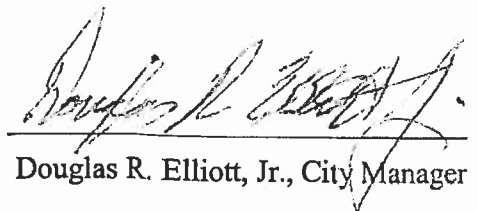
6. The City also agrees to make municipal sanitary sewer service available to the Property. The cost of connecting the Property to an approved municipal sanitary sewer service line will be the Owner's responsibility. The installation of the said connection to the municipal sanitary sewer service shall conform to the specifications and standards of the City's Ordinances and regulations, and shall be approved by the City Engineer.
7. The Owner is responsible to provide a professionally engineered traffic impact study prior to the physical development of the Property. The Owner is responsible for all cost associated with the improvements required by said study.
8. The Owner shall pay all capacity benefit charges, utility connection fees, and fees for water and sewer services.
9. Future development of the Property shall meet the minimum requirements as stipulated in the City of Oxford Planning and Zoning Code and other specifications and requirements set forth in the City's Ordinances and regulations, as amended.
10. Any modifications to this Agreement shall require the approval of both parties and shall be in writing.
11. The terms and conditions shall be binding upon the parties herein and all successors and assigns, and these terms and conditions shall run with the land.
12. This agreement shall be recorded in the Butler County Recorder's Office and the terms and conditions shall be binding upon the parties herein and all successors and assigns, and these terms and conditions shall run with the land.

IN WITNESS WHEREOF, the City and Owner have executed this Agreement as of the date first written above.

JOANNE PELLY MEANS, TRUST


Joanne Pelly Means

CITY OF OXFORD, OHIO


Douglas R. Elliott, Jr., City Manager

RECEIVED
11 OCT 31 PM 3:56
BUTLER COUNTY
COMMISSIONERS

BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF BUTLER COUNTY, OHIO

PETITION BY OWNERS OF REAL ESTATE FOR ANNEXATION OF 304.704
ACRES OF LAND MORE OR LESS IN OXFORD TOWNSHIP, BUTLER COUNTY,
OHIO TO CITY OF OXFORD, OHIO

(Excluded Type 2 Annexation- Sections 709.021 & 709.023 Ohio Revised Code)

The undersigned, being the owners of freehold estates in land adjacent to the City of Oxford, Butler County, herein respectfully petition that the real estate hereinafter described be annexed to the City of Oxford, Butler County, Ohio.

The territory proposed for annexation contains 304.704 acres, more or less, in Oxford Township, Butler County, and is contiguous and adjacent to the boundary of the City of Oxford, Ohio, for five percent (5%) or more of the perimeter of the territory proposed for annexation. The undersigned understand the property will not be excluded from the township.

The full description of the territories sought to be annexed are:

Situated in Part of Original Lot 1, Section 24, Town 5, Range 1, Oxford Township, being parts of the lands of the President and Trustees of Miami University, Ohio as recorded on Deed Book 764, Page 535 and all of the Lands of Joanne Pelley Means, Tr., as recorded in Official Record 7271, Page 1583 of the Butler County, Ohio Recorder's Office and being more particularly described as follows:

Commencing at the Southwest of said Section 24; thence along the westerly line of said Section 24, North 02°19'43" East, 72.80 feet to the north right of way of Trenton-Oxford Road (S.R. 73), being the **True Point of Beginning**;

thence, continuing with said west line of Section 24, North 02°19'43" East, 2,590.98, feet to the northwest corner of said Original Lot 1, being on the south line of the lands of the President and Trustees of Miami University, as recorded in Official Record 7322, Page 1032;

thence, leaving the west line of original Lot 1 with the south line of the President and Trustees of Miami University, as recorded in Deed Book 7322, Page 1032, North 89°53'36" East, 1,320.99 feet to the southwest corner of the lands of the President and Trustees of Miami University, as recorded in Deed Book 514, Page 634;

thence, with the south line of said lands of the President and Trustees of Miami University, as recorded in Deed Book 514, Page 634 South 88°18'39" East, 1,293.20;

thence, continuing with said south line of the lands of the President and Trustees of Miami University, as recorded in Deed Book 514, Page 634, South 87°24'09" East, 1,299.88 feet;

thence, continuing with said south line of the lands of the President and Trustees of Miami University, as recorded in Deed Book 514, Page 634, South 01°30'35" West, 26.00 feet;

thence, continuing with said south line of the lands of the President and Trustees of Miami University, as recorded in Deed Book 514, Page 634, South 89°23'49" East, 1,271.35 feet to the west right of way of Oxford-Milford Road;

thence, with said west right of way of Oxford-Milford Road, South 01°09'02" West, 2,162.33 feet;

thence, continuing with said west right of way of Oxford-Milford Road, South 03°53'53" West, 321.17 feet to the north right of way of said Trenton-Oxford Road (S.R. 73);

thence, with said north right of way of said Trenton-Oxford Road (S.R. 73) for the following 6 courses:

- 1) North 83°24'08" West, 168.27 feet;
- 2) South 73°00'44" West, 104.40 feet;
- 3) North 86°28'28" West, 150.33 feet;
- 4) South 89°47'29" West, 499.81 feet;
- 5) North 70°47'55" West, 105.95 feet;
- 6) South 69°47'00" West, 58.21 feet to the east line of the lands of Gerald Earl Dingle as recorded in Official Record 7506, Page 36 of the Butler County, Ohio Recorder's Office;

thence, leaving said north line of Trenton-Oxford Road (S.R. 73) with said east line of Gerald Earl Dingle, North 01°30'35" East, 257.27 feet to the northeast corner of said lands of Gerald Earl Dingle;

thence, with the north line of said Gerald Earl Dingle, South 89°45'00" West, 200.00 feet to the northwest corner of said Gerald Earl Dingle;

thence, with the west line of said lands of Gerald Earl Dingle, South 01°30'40" West, 256.67 feet to the north line of said north right of way of said Trenton-Oxford Road (S.R. 73);

thence leaving said west line of Gerald Earl Dingle, with said north right of way of said Trenton-Oxford Road (S.R. 73) for the following 12 courses:

- 1) South 89°54'41" West, 395.36 feet;
- 2) South 86°57'10" West, 220.29 feet;
- 3) North 41°25'14" West, 15.14 feet;
- 4) South 89°38'55" West, 35.75 feet;
- 5) South 53°33'55" West, 25.41 feet;
- 6) South 88°39'16" West, 457.87 feet;
- 7) North 74°38'43" West, 110.14 feet;
- 8) South 85°17'03" West, 400.47 feet;
- 9) North 86°34'40" West, 900.30 feet;

- 10) South 88°55'25" West, 350.14 feet;
- 11) South 84°50'58" West, 100.50 feet;
- 12) North 89°26'23" West, 957.83 feet to the **True Point of Beginning** containing 304.704 acres more or less and being subject to all legal highways, easements, restrictions and agreements of record.

The above description was prepared from an annexation plat by Bayer Becker, David Douglas Smith, Registered Surveyor #7121 in the State of Ohio, March 24, 2011. Butler County Auditor's permanent parcel numbers for the tax parcels described herein are: H3610027000009, H3510027000007, H3610027000005 and H3610027000008.

1. The number of owners of real estate in the territory sought to be annexed is Two (2), being The President and Trustees of The Miami University of Oxford, Ohio, and Joanne Pelley Means, Trustee, the Petitioners.
2. A map or plat of the above-described territory sought to be annexed is attached hereto and made a part hereof as Exhibit "A".
3. The annexation will not create an unincorporated area of the township that is completely surrounded by the territory proposed for annexation.
4. There is no annexation agreement between the municipality and township pursuant to R.C. § 709.192 applicable to this annexation nor an applicable Cooperative Economic Development Agreement (C.E.D.A.) pursuant to R.C. § 701.07.
5. The owners who sign this petition by their signature expressly waive their right to appeal in law or equity from the Board of County Commissioners' entry of any resolution passed under R.C. § 709.023 and waive any rights they may have to sue on any issue relating to a municipal corporation requiring a buffer as provided in R.C. § 709.023 and further waive any rights to seek a variance that would relieve or exempt them from the buffer requirement.
6. Douglas R. Elliott, Jr. is hereby appointed and authorized to act as agent for Petitioner President and Trustees of The Miami University of Oxford, Ohio and for Petitioner Joanne Pelley Means, Trustee in securing such annexation.
7. Petitioners' agents are hereby authorized to make any amendments and/or deletions which in his absolute and complete discretion are proper under the circumstances then existing. In addition, the petitioner's agents are authorized to make such amendments and/or deletions in the petition, map, plat or description in order to correct any discrepancy or mistake noted by the County Engineer or others in their examination of the petition, map, plat or description. Amendments to correct the map, plat or description

may be made by the presentation of an amended map or plat and description to the Board of County Commissioners on, before or after the date set for hearing of this petition unless otherwise specified by law.

8. "WHOEVER SIGNS THIS PETITION EXPRESSLY WAIVES THEIR RIGHT TO APPEAL IN LAW OR EQUITY FROM THE BOARD OF COUNTY COMMISSIONERS' ENTRY OF ANY RESOLUTION PERTAINING TO THIS SPECIAL ANNEXATION PROCEDURE, ALTHOUGH A WRIT OF MANDAMUS MAY BE SOUGHT TO COMPEL THE BOARD TO PERFORM ITS DUTIES REQUIRED BY LAW FOR THIS SPECIAL ANNEXATION PROCEDURE."

OWNERS NAMES:

For: The President and Trustees of The
Miami University of Oxford, Ohio

By: David K. Creamer

Date Signed: 10-30-11

For: Joanne Pelley Means, Trust

By: Joanne Pelley Means

Date Signed: 10-27-11

Contact Information:

Owners/Petitioners:

Joanne Pelley Means, Trust
4450 Oxford Trenton Road
Oxford, Ohio 45056
(513) 416-3556

The President and Trustees of The
Miami University of Oxford, Ohio

David K. Creamer
Vice President of Finance and Business Services
Miami University
501 East High Street
218 Roudebush
Oxford, Ohio 45056
(513) 529-4226

Agent:

Douglas R. Elliott, Jr., City Manager
City of Oxford
101 E. High Street
Oxford, Ohio 45056
(513) 524-5279

PC-06-2012

Legend

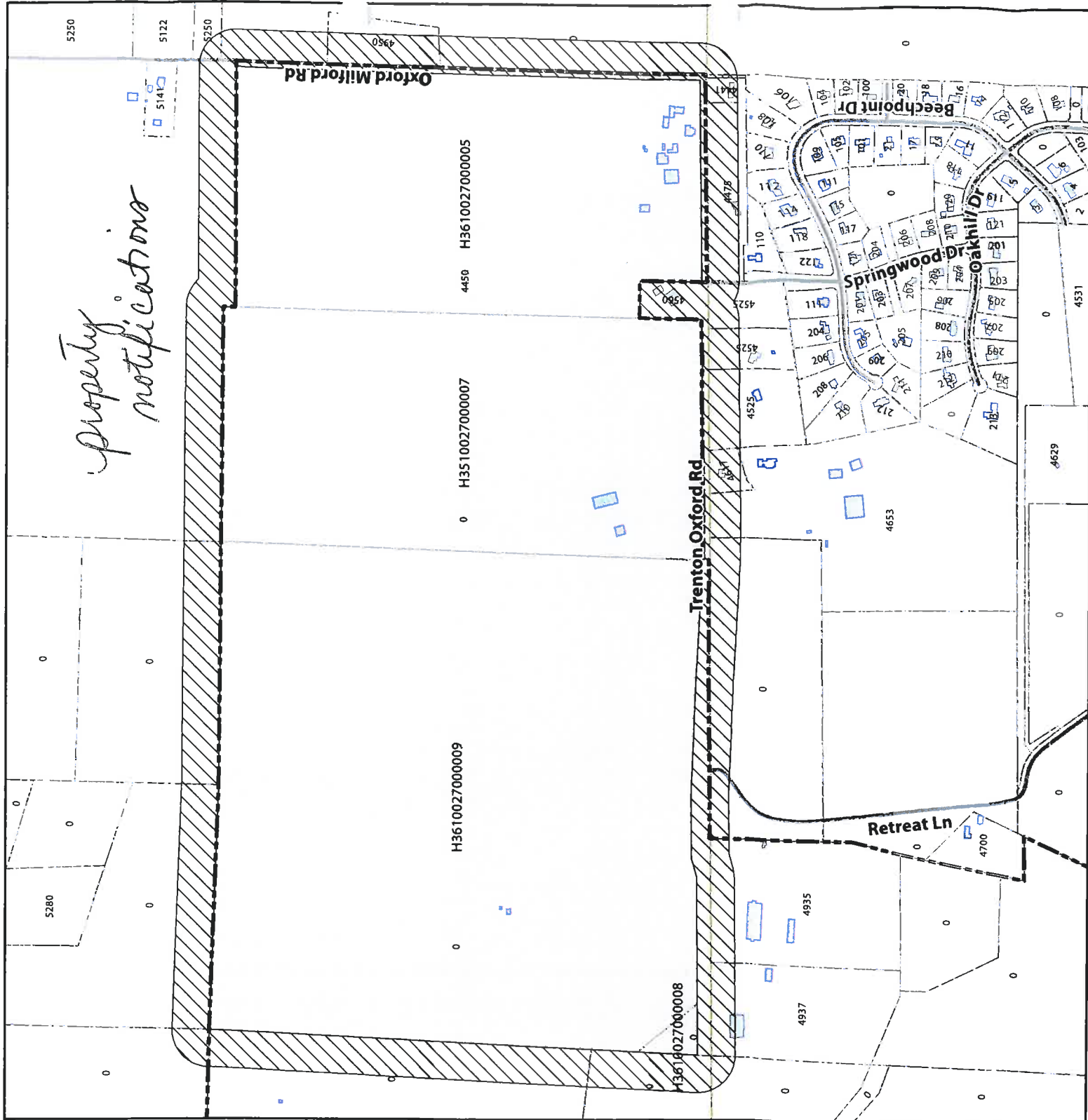
-  Subject Properties
-  200 Ft. Buffer
-  Oxford Corporation Limit
-  Parcel
-  16.5' Vacated ROW
-  Building Footprint
-  Paved Roadway



1 inch = 725 feet



The City of Oxford does not guarantee the dimensional accuracy of this map. Precise dimensional accuracy should be based upon recorded deeds, plats or a professional survey.



Miami Heritage Tech Park



Oxford Corporation Limit

Miami Heritage Tech Park

Miami University

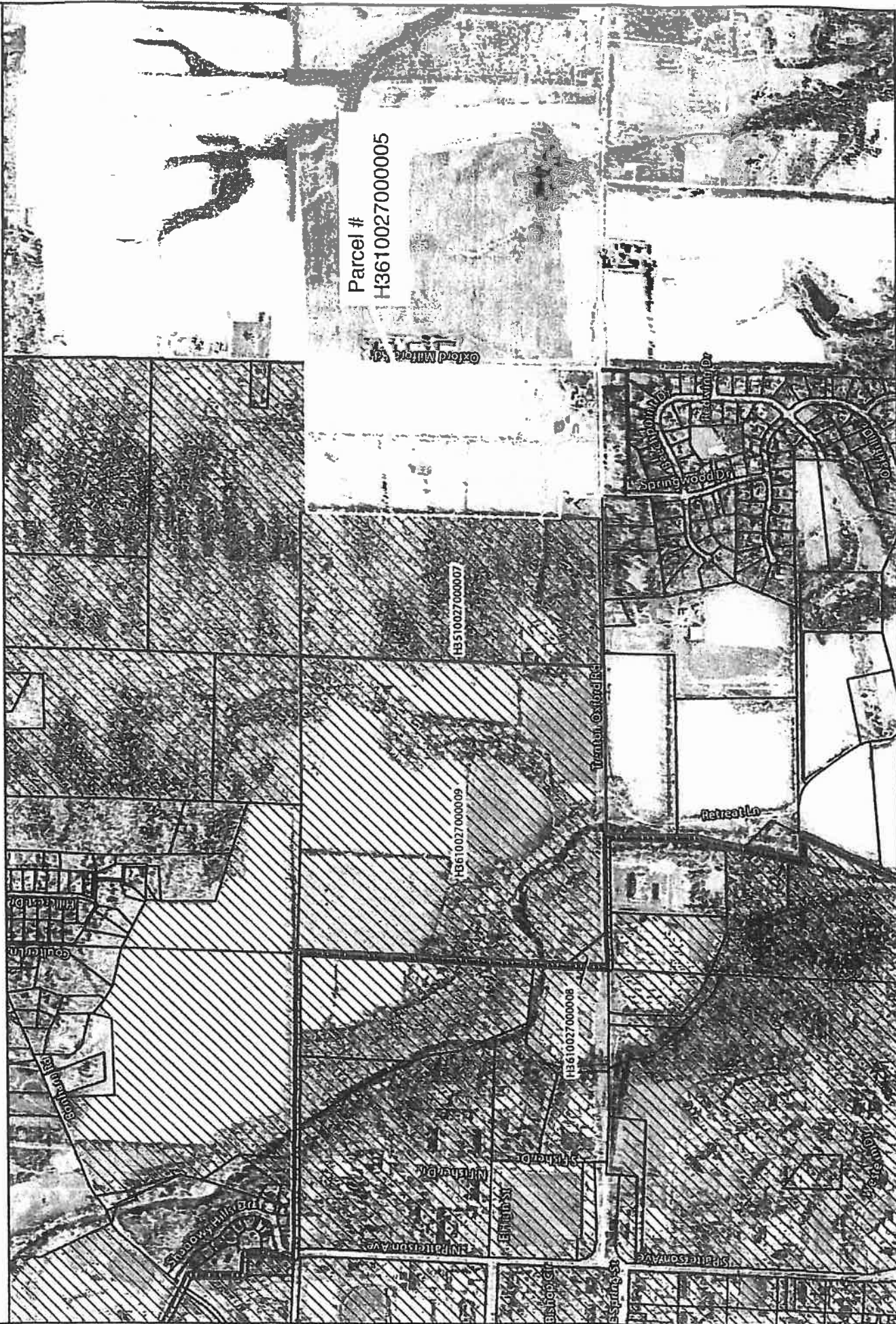
Miami Univ. Township Parcels

Parcel



1 inch = 1,100 feet

May 2009 Aerial Photography



Case No.: ADM-02
Date Filed: 4/5/12

Lot Split/Consolidation Application
City of Oxford, Ohio

2012-PC-ADM-02

REQUESTED ACTION (check one)

☐ Lot Split (\$20)

☒ Lot Consolidation (\$20)

☒ Lot Split & Consolidation (\$40)

REQUIRED INFORMATION

Name of Applicant: Juanita King a/k/a Juanita Karolyn King
(Attach a letter of agency if the applicant is not the property owner.)
Mailing Address: 607 W Chestnut, Oxford, Ohio 45056
Telephone Number(s): 513-523-6111
Location of Property: 607 W Chestnut Oxford Ohio 45056
Legal Description: Lot 1672 and parts of Lot 1671, City of Oxford
Zoning District: R1A
Number of Lots: 3
Total Acreage: 1.325
Surveyor: David Douglas Smith, P.S.
Address: PO Box 150, Oxford, Ohio 45056
Phone Number: 513-523-4270

DRAWING REQUIREMENTS

Please submit the plat on milar film with two copies. An 8 1/2 x 11 copy is also required. All signatures must be original. The plat shall be drawn at a scale not greater than 1 inch = 100 feet. Drawing size must be at least 18" x 24" and should never exceed 24" x 36". The following information must appear on the plat:

- The location of all present property lines, streets, alleys, rights-of-way, buildings, easements, lakes, watercourses and drainage ways.
- Size of the tract in acres and square feet and the boundary lines along with the linear measurement thereof.
- The names and record owners of adjoining parcels of un-subdivided land.
- The original seal, registry number and signature of the public surveyor who prepared the plat.
- Any portion of the floodplain as delineated by the Flood Insurance Rate Map (FIRM) Community Panel Number 390731 0001-0003, revised December 3, 1997, must be clearly illustrated and labeled on the plat.

NOTE: In order for a lot consolidation or lot split to be valid, the applicant is responsible for contacting the City of Oxford Community Development Department with the volume and page number that the consolidation/split has been recorded in with Butler County.

Submit this application, the original and required copies of the plat and the fee payable to the City of Oxford to the office of the Community Development Director, Municipal Building, 101 East High Street, Oxford, Ohio 45056. Any questions should be directed to the Community Development Department at (513) 524-5204.

Please submit a signed copy of the plat for City records following approval of the split/consolidation.

Juanita King Juanita King 4.5.12
Applicant's Signature Applicant's Printed Name Date
FEE / RECEIPT: \$ 20 Fee Paid / Receipt Number: 17505.91

Jung-Han Chen

Public
Comment
for 7/10/12 PC
meeting

From: cerick7123@aol.com
Sent: Tuesday, July 10, 2012 4:26 PM
To: Jung-Han Chen
Cc: Bob Holzworth
Subject: Your memo June 6, 2012 to Bob Holzworth; Holzworth reply June 6, 2012

July 10, 2012

Dear Mr.Chen,

I saw for the first time today on the cityofOxford web site your interoffice correspondence with Bob Holzworth regarding our informal conversation outside your office Wednesday afternoon June 6, 2012.

I would like to clarify the three items you mentioned in your memo:

Items 1&3 were simply general inquiry I would think anyone living in the Oxford area would think about at one time or another. My inquiry was much broader than "property" matters and "general police matters" that you mention. I did not use the term "property crimes" as you stated, and I am not sure what that term means in the legal sense anyway.

Item 2: "How does the noise issue being handled..." "during football games or softball games"

My general comment referred to the hours of loud noise emanating from the baseball loudspeakers and its effect on students studying in Miami dorms, and City of Oxford residences, during final exams. In other words, depending on which side of Talawanda street, a student lives on, to whom does he or she refer to?

I am heartened and agree with the comments by Bob Holzworth. I too, enjoy the game day enthusiasm of the fans, and the cheers of the crowd!

However, this was not the topic of our conversation back in June.

The memo- exchange of our discussion has become part of the public record. I would appreciate a similar inclusion of my comments as well.

Sincerely,

Byron Erickson

cerick7123@aol.com