

CITY OF CLAYTON, OHIO

ORDINANCE NO. O - 09 - 24 - 18

AN ORDINANCE ADOPTING THE PLANNING COMMISSION'S RECOMMENDATION TO APPROVE THE APPLICATION FOR A CHANGE IN ZONING FROM RSD (RESIDENTIAL SINGLE UNIT DISTRICT) TO CMX (COMMERCIAL MIXED USE) FOR 5.0753 ACRES OF PROPERTY LOCATED AT WENGER ROAD AND HOKE ROAD AND BEARING PARCEL I.D. NO.s M60 03109 0030, M60 03109 0060, AND M60 03109 0034 WITHIN THE CITY OF CLAYTON, OHIO

WHEREAS, on June 10, 2024, an application was filed by Attorney Gerald L. McDonald, on behalf of and with the consent of the property owners, for property located at Wenger Road and Hoke Road consisting of: (a) Parcel I.D. Number M60 03109 0030, owned by BLK Holdings LLC and containing 2.044 acres (4970 Wenger Road); (b) Parcel I.D. Number M60 03109 0060, owned by Terry and Bonita Kipling (7970 Hoke Road); and (c) Parcel I.D. Number M60 03109 0034, owned by Terry and Bonita Kipling (4940 Wenger Road) (properties (b) and (c) contain 3.03133 acres), all located within the City of Clayton, Ohio ("Subject Property") and requesting a zoning change for same from RSD (Residential Single Unit District) to CMX (Commercial Mixed Use); and

WHEREAS, the Clayton Planning Commission held a public hearing on August 26, 2024, on said re-zoning request at which time any and all persons were given an opportunity to be heard thereon, and the Clayton Planning Commission, at said meeting, *voted to approve as submitted the re-zoning request*; and

WHEREAS, the Clayton City Council held a public hearing on September 19, 2024, on the aforesaid re-zoning request at which time any and all persons were given an opportunity to be heard thereon.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CLAYTON, STATE OF OHIO:

1. That the Council hereby **ADOPTS** the Planning Commission's *recommendation of approval of the re-zoning request for the Subject Property*.
2. That this Ordinance shall be effective as an exception to any ordinance, resolution or other legislation of the City of Clayton, Ohio, inconsistent with this Ordinance or which imposes additional requirements for effectiveness or validity.
3. That in accordance with Clayton Charter Section 4.031 the requirement that this enactment be read on two (2) separate days is complied with by readings on September 19, 2024 and October 3, 2024.

4. That in accordance with Clayton Charter Section 4.031(H) this enactment shall become effective thirty days after its second reading and enactment.

ADOPTED BY COUNCIL ON OCTOBER 3, 2024.

AUTHENTICATION:



Mayor (Presiding Officer of Council)



Clerk of Council

APPROVED AS TO FORM:



Law Director

CERTIFICATION OF PUBLICATION

This shall certify that the text of the above referenced enactment or a summary thereof was published once in the following newspaper and a summary posted in three places of public access as designated by Council.

Name of newspaper Date of publication
Eaton Register Herald October 9, 2024



Clerk