

**VILLAGE OF YELLOW SPRINGS, OHIO
ORDINANCE 2020-17**

**AMENDING THE OFFICIAL ZONING MAP OF THE VILLAGE OF
YELLOW SPRINGS, OHIO FOR THE PROPERTIES LOCATED AT
403 XENIA AVENUE, 415 XENIA AVENUE AND 120 EAST LIMESTONE STREET
FROM “B-1” CENTRAL BUSINESS DISTRICT TO “R-C” HIGH-DENSITY
RESIDENTIAL DISTRICT FOR A TOTAL OF 1.175 ACRES**

Whereas, the Planning Commission received a map amendment application from Iron Table Holdings, LLC to rezone its property at 403 Xenia Avenue from B-1, Central Business District to R-C, High-Density Residential District to permit use of the existing structure as a multi-family dwelling, and

Whereas, the Zoning Administrator reviewed the application and determined that two adjacent properties, including a Village-owned parcel occupied by the Greene County Public Library, and a private residence, would also benefit from the change in zoning from “B-1” Central Business District to “R-C,” High-Density Residential District consistent with the current uses of each parcel; and

Whereas, following a public hearing on August 11, 2020, the Planning Commission voted to recommend amending the Zoning Map for the three parcels on the east side of the 400 block of Xenia Avenue from “B-1” Central Business District to “R-C” High Density Residential District, finding the proposed rezoning and map amendment is consistent with the goals, policies and future land use planning, is compatible with the site’s physical features; is compatible with surrounding uses in terms of land suitability, impacts on the community, density, potential influence on property values and traffic impacts; has no additional impact on infrastructure including roads, sanitary sewers, storm sewer, water, sidewalks, and road lighting; and does not result in a spot zone,

**NOW, THEREFORE, COUNCIL FOR THE VILLAGE OF YELLOW SPRINGS, OHIO
HEREBY ORDAINS THAT:**

Section 1. Pursuant to Village Code Section 1280.03, Council accepts and approves the Planning Commission’s recommendations and hereby amends the official zoning map from “B-1” Central Business District to “R-C” High-Density Residential District for the properties located at:

403 Xenia Avenue, Parcel ID #F19000100090017500;
415 Xenia Avenue Parcel ID# F19000100090017700; and
120 East Limestone Street Parcel ID# F19000100090017600

for a total of 1.175 acres as depicted in the written legal description attached hereto as Exhibit A and amended map attached hereto as Exhibit B.

Section 2. The legal description marked Exhibit A along with the map marked Exhibit B are incorporated by reference and the Zoning Administrator is directed to update the Official Zoning

Map maintained and kept on file by the Zoning Administrator pursuant to Village Code Section 1242.02 and distribute that map to other Village departments and Greene County Regional Planning and Coordinating Commission.

Section 3. This ordinance shall take effect and be in full force at the earliest date permitted by law.

Brian Housh, President of Council

Passed: 9-21-2020

Attest: _____
Judy Kintner, Clerk of Council

ROLL CALL

Brian Housh __Y__	Marianne MacQueen __Y__	Kevin Stokes __Y__
Lisa Kreeger __Y__	Laura Curliss __Y__	

EXHIBIT A to Ordinance 2020-17

403 Xenia Avenue – Parcel ID # F19000100090017500

LEGAL DESCRIPTION

SITUATED IN THE COUNTY OF GREENE, IN THE STATE OF OHIO AND IN THE VILLAGE OF YELLOW SPRINGS AND BEING PART OF THE WEST END AND THE NORTH SIDE OF LOT NUMBERED FOUR HUNDRED TWO (402) AS THE SAME IS SHOWN ON THE RECORDED PLAT OF SAID VILLAGE AND BOUNDED AND DESCRIBED AS FOLLOWS: BEGINNING AT A POINT AT THE INTERSECTION OF THE EAST LINE OF XENIA AVENUE AND THE SOUTH LINE OF LIMESTONE STREET;

THENCE WITH THE SOUTH OF SAID LIMESTONE STREET 129.6 FEET TO A STAKE;

THENCE IN THE SOUTHERLY DIRECTION AND PARALLEL WITH THE EAST LINE OF XENIA AVENUE 78 FEET TO THE STAKE IN THE SOUTH LINE OF THE LOT AND IN THE WEST LINE OF LOT OWNED BY THAD P. CARR;

THENCE IN A WESTERLY DIRECTION WITH SAID SOUTH LINE OF THE LOT AND NORTH LINE OF THE LOT AND NORTH LINE OF SAID THAD P. CARR 129.6 FEET TO A POINT IN THE EAST LINE OF XENIA AVENUE;

THENCE WITH THE EAST LINE OF XENIA AVENUE 76 FEET TO THE PLACE OF BEGINNING.

AS RECORDED IN PLAT BOOK 2, PAGES 52-53 NKA PLAT CABINET 31, PAGES 247A-B AS RECORDED IN THE PLAT RECORDS OF GREENE COUNTY, OHIO.

PARCEL NUMBER: F19-1-9-175

120 EAST LIMESTONE – PARCEL ID # F19000100090017600

LEGAL DESCRIPTION FOR FILE: 0904075

SITUATED IN THE VILLAGE OF YELLOW SPRINGS, TOWNSHIP OF MIAMI, COUNTY OF GREENE AND THE STATE OF OHIO, AND BEING THE NORTH PART AND SIDE OF LOT NO. 402, AS THE SAME IS KNOWN AND DESIGNATED ON THE RECORDED PLAT OF SAID VILLAGE. THE PART HEREBY CONVEYED BEGINNING AT THE NW CORNER OF SAID LOT NO. 402, THENCE ALONG THE SOUTH SIDE OF LIMESTONE STREET 227 FEET AND 4 INCHES TO THE WEST EDGE OF AN ALLEY, THENCE WITH THE WEST EDGE OF SAID ALLEY SOUTH 80 FEET, THENCE IN A WESTERLY DIRECTION TO A POINT 76 FEET 2 INCHES FROM SAID LIMESTONE STREET TO XENIA AVENUE, THENCE WITH THE EAST EDGE OF XENIA AVENUE IN A NORTHERLY DIRECTION 76 FEET 2 INCHES TO SAID LIMESTONE STREET AND THE PLACE OF BEGINNING, CONTAINING 14,248 SQUARE FEET;

EXCEPTING THEREFROM:

SITUATED IN THE COUNTY OF GREENE IN THE STATE OF OHIO AND IN THE VILLAGE OF YELLOW SPRINGS AND BOUNDED AND DESCRIBED AS FOLLOWS:

BEING A PART OFF THE WEST END AND NORTH SIDE OF LOT NO. 402 AS SHOWN ON THE RECORDED PLAT OF SAID VILLAGE AND BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT AT THE INTERSECTION OF THE EAST LINE OF XENIA AVENUE AND SOUTH LINE OF LIMESTONE STREET, THENCE WITH THE SOUTH LINE OF SAID LIMESTONE STREET 129.6 FEET TO A STAKE, THENCE IN A SOUTHERLY LINE DIRECTION AND PARALLEL TO THE EAST LINE OF XENIA AVENUE 78 FEET TO A STAKE IN THE SOUTH LINE OF THE LOT AND IN THE NORTH LINE OF LOT OWNED BY T.P. CARR, THENCE IN A WESTERLY DIRECTION WITH SAID SOUTH LINE OF LOT AND NORTH LINE SAID T.P. CARR 129.6 FEET TO A POINT IN THE EAST LINE OF XENIA AVENUE, THENCE WITH THE EAST LINE OF XENIA AVENUE 76 FEET TO THE PLACE OF BEGINNING.

RECORDED IN PLAT BOOK 2 PAGES 52 AND 53 NOW KNOWN AS PLAT CABINET 31, PAGES 247A-B OF THE GREENE COUNTY OHIO PLAT RECORDS.

PARCEL NUMBER: F19-1-9-176

415 XENIA AVENUE – PARCEL ID #F19000100090017700

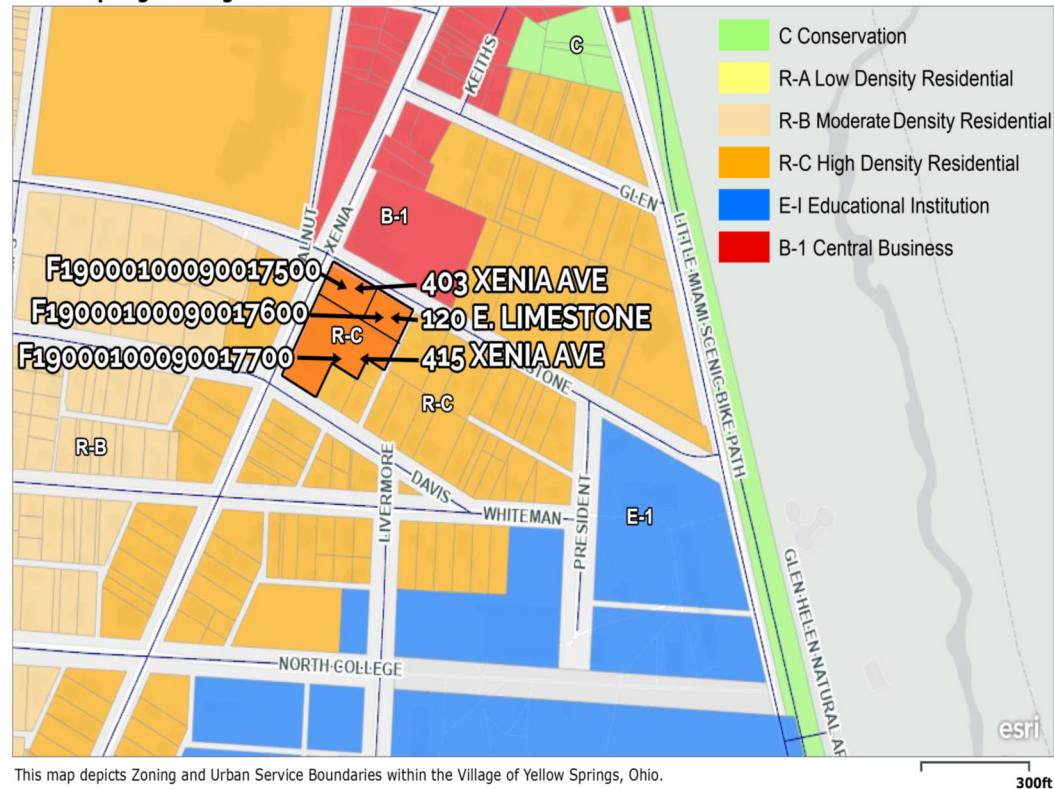
LEGAL DESCRIPTION

SITUATED IN THE VILLAGE OF YELLOW SPRINGS, TOWNSHIP OF MIAMI, COUNTY OF GREENE IN THE STATE OF OHIO AND BEING PART OF LOT FOUR HUNDRED AND TWO (402), AS NAMED AND NUMBERED ON THE RECORDED PLAT OF SAID VILLAGE AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE S.W. CORNER OF LOT #402 AT THE INTERSECTION OF XENIA AVENUE AND DAVIS STREET; THENCE EAST WITH THE NORTH LINE OF DAVIS STREET 100 FEET MORE OR LESS TO THE SOUTH WEST CORNER OF THE OLIVER GERLAUGH LOT; THENCE NORTH 90° WITH THE WEST LINE OF THE SAID GERLAUGH LOT TO THE NORTH WEST CORNER OF SAID LOT; THENCE EAST WITH THE NORTH LINE OF THE SAID GERLAUGH 75'; THENCE NORTH 55'; THENCE EAST 50' TO WEST LINE OF AN ALLEY; THENCE NORTH WITH THE WEST LINE OF SAID ALLEY 66' MORE OR LESS TO THE THEODORE NEFF LOT; THENCE WEST WITH THE SOUTH LINE OF THE SAID NEFF LOT AND THE PRESBYTERIAN CHURCH LOT 225 FEET MORE OR LESS, TO THE EAST LINE OF XENIA AVENUE; THENCE SOUTH WITH THE EAST LINE OF XENIA AVENUE 212' MORE OR LESS, TO THE PLACE OF BEGINNING.

SUBJECT TO A RIGHT OF WAY FOR A TILE DRAIN THROUGH THE EAST END OF SAID LOT.

BEING THE SAME PREMISES AS CONVEYED BY DAVID W. CARTER, EXECUTOR OF THE LAST WILL OF ERNEST H. FOLCK, DECEASED, TO ALICE F. FOLCK, BY EXECUTOR'S DEED DATED APRIL 16, 1962 AND RECORDED IN VOLUME 338, PAGE 271, GREENE COUNTY DEED RECORDS.

Yellow Springs Zoning**Exhibit B to Ordinance 2020-17**