

RESOLUTION NO. 41 - 2001

**A RESOLUTION APPROVING A ZONE DISTRICT
CHANGE FOR WEST CHESTER TOWNSHIP
MAP AMENDMENT CASE # 09-01**

WHEREAS, by advertisement, a public hearing to amend the West Chester Township Zoning Resolution was held on September 25, 2001 as applied for by Schumacher Dugan for a district change from A-1 (Agricultural Industrial) District to M-2 (General Industrial) District for the following described property:

Situated in Section 10, Town 2, Range 2, M5610008000021, 023 West Chester Township, Butler County, Ohio, and being part of a 187.975 acre tract as conveyed to Jacquemin Farm, LLC and recorded in O.R. 6450 Page 230 of Butler County Deed Records, being more particularly described as follows:

Beginning at the intersection of the west line of Section 10 and the southerly right-of-way line of the former Miami & Erie Canal said point also being in the west line of West Chester Township, being located S04°34'58"W a distance of 665.54 feet from the northeast corner of Section 10;

Thence along the southerly right-of-way line of the former Miami & Erie Canal, the following four courses:

- 1.) S76°52'50"E a distance of 304.62 feet;
- 2.) S65°47'14"E a distance of 131.52 feet;
- 3.) S58°53'11"E a distance of 141.79 feet;
- 4.) S52°08'56"E a distance of 523.74 feet to the intersection of the southerly right-of-way line of the former Miami & Erie Canal and the easterly line of said 187.975 acre tract;

Thence along easterly line of said 187.975 acre tract, S04°35'51"W a distance of 4001.32 feet to the northerly right-of-way line of Port Union Road;

Thence along the northerly right-of-way line of Port Union Road, S83°10'32"W a distance of 1008.79 feet to the west line of Section 10 and the west line of West Chester Township;

Thence along the west line of Section 10 and the west line of West Chester Township, N04°34'58"E a distance of 4640.88 feet to the Point of Beginning and containing 99.466 acres, more or less.

Subject, however, to all legal rights of ways and/or easements, if any, of previous record.

WHEREAS, The Schumacher Dugan amendment to the West Chester Township Zoning Resolution also includes a district change request from A-1 (Agricultural) District to M-2 (General Industrial) District.

Situated in Sections 10 , Town 2, Range 2, M5610008000023 and Section 11, Town 2, Range 2, M5610009000010, West Chester Township, Butler County, Ohio and being part of a 111.135 acre tractas conveyed to Morris Farm, LLC and recorded in O.R. 6436 Page 1475 of the Butler County Deed Records, being more particularly described as follows:

Beginning at the southwest corner of Section 1, being in the line of West Chester Township;

Thence along the west line of Section 11 and the west line of West Chester Township, N04°55'32"E a distance of 667.86 feet to the intersection of said section line and the southerly right-of-way line of the Norfolk & Western Railroad;

Thence along the southerly right-of-way line of the Norfolk & Western Railroad, S53°33'25"E a distance of 1954.70 feet to the northeast corner of said 111.135 acre tract;

Thence along the easterly line of said 111.135 acre tract, S42°10'14"W a distance of 931.70 feet to the northerly right-of-way line of the former Miami & Erie Canal;

Thence along the northerly right-of-way line of the former Miami & Erie Canal, the following four courses:

- 1.) N52°16'41"W a distance of 633.17 feet;
- 2.) N58°59'32"W a distance of 154.06 feet;
- 3.) N65°04'18"W a distance of 144.45 feet;
- 4.) N74°43'22"W a distance of 327.25 feet to the west line of Section 10 and the west line of West Chester Township;

Thence along the west line of Section 10 and the west line of West Chester Township, N04°34'58"E a distance of 569.51 feet to the northwest corner of Section 10;

Thence along the north line of Section 10, N80°59'16"E a distance of 30.12 feet to the Point of Beginning and containing 35.520 acres, more or less.

Subject, however, to all legal rights of ways and/or easements, if any, of previous record.

WHEREAS, all those present for the hearing who wished to be heard voiced their opinions with respect thereto; and

WHEREAS, said application was reviewed by the Board of Township Trustees with respect to consistency with the West Chester Township Land Use Plan.

NOW THEREFORE, BE IT RESOLVED, that by failure to achieve the unanimous vote necessary to overturn the decision of the West Chester Township Zoning Commission, the Board of Trustees does hereby approve the district change from A-1 (Agricultural) District to M-2 (General Industrial) District, A-1 (Agricultural) District to M-2 (General Industrial) District for the aforesaid application.

Adopted the 9th day of October, 2001



David Tacosik



Jose Alvarez



Catherine Stoker

ATTEST:



Patricia Williams, Township Clerk

APPROVED AS TO FORM:



Donald L. Crain, Law Director

