Ordinance No: 26-10-059 Committee: Judiciary and Annexation

AN ORDINANCE TO AMEND THE CITY OF VAN WERT ZONING MAP BY APPROVING A CONDITIONAL ZONING PETITION FILED PURSUANT TO VAN WERT CODE OF ORDINANCES SECTION 150.12 (C) TO DESIGNATE CERTAIN REAL PROPERTY CONSISTING OF 684.165+/- ACRES WITH THE I-2, GENERAL INDUSTRIAL ZONING CLASSIFICATION AND DECLARING AN EMERGENCY.

WHEREAS, a conditional zoning petition was filed with the City on August 24, 2026, pursuant to Van Wert Code of Ordinances Section 150.12 (C) concerning 684.165+/- acres which are more particularly described in Exhibit "A" and depicted on the annexation plat included with Exhibit "A," (the "Property") and which are being annexed or have been annexed to the City; and

WHEREAS, the petitioner under the conditional zoning petition requested that the Property be designated with the I-2, General Industrial classification; and

WHEREAS, the City Council of Van Wert ("City Council") has determined that it is desirable and necessary to approve the conditional zoning petition as presented; and

WHEREAS, the City Council deems it desirable and necessary to require that any development of the Property with improvements and uses which may differ from adjacent residential uses to install and maintain appropriate buffering between such development and uses on the Property and such adjacent residential uses in accordance with the standards set forth in Exhibit "B" attached hereto; and

WHEREAS, the City's Planning Commission held a public hearing on the conditional zoning petition on September 10, 2026, and voted to recommend approval of the same to City Council; and

WHEREAS, City Council held a public hearing on the conditional zoning petition on October 26, 2026, and

WHEREAS, this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the City of Van Wert and its residents. The specific reasons for the emergency are that the territory affected by this Ordinance constitutes a substantial addition to the City's existing and planned industrial area and extends planned municipal development substantially farther from existing City utility and public-service infrastructure; that, upon completion of Council's three-reading legislative process, the City needs to commence without further delay coordinated professional planning and engineering concerning public-water routing and capacity, sanitary-sewer routing and capacity, adequate water supply and flow for fire protection, stormwater management, emergency access, public-road improvements and traffic circulation, and the location and preservation of utility easements and corridors; that such planning must be coordinated, as applicable, with the Ohio Department of Transportation, the Van Wert County Engineer, public utilities, emergency-service providers and other governmental agencies; that particular attention is required for access and traffic planning involving Mendon Road and U.S. Route 30; and that prompt, coordinated planning is necessary so that decisions concerning roads, utility corridors, emergency access and other

public infrastructure can be made before development patterns or improvements are established that could impair the City's ability to provide safe and adequate municipal services. Council further finds that immediate effectiveness will permit the City to initiate and coordinate the engineering, planning and professional services necessary to evaluate these interrelated public-health and public-safety matters while the property is being actively considered for substantial industrial development. These specific municipal planning and public-safety needs, rather than the avoidance of delay to any particular private development, constitute the reasons for the emergency. Accordingly, this Ordinance shall take effect and be in force immediately upon its passage by the affirmative yea-and-nay vote required by R.C. 731.30 and approval by the Mayor; provided, however, that the effective date of the annexation itself shall be governed by R.C. 709.10.

Be it **ORDAINED** by the Council of the City of Van Wert, Van Wert County, Ohio, to wit:

Section 1. To approve the classification of the Property into the I-2, General Industrial zoning district under the Van Wert Code of Ordinances.

Section 2. To require that development and use of the Property which differs from existing residential improvements and uses that exist or may be permitted to be developed and operated on real property that is adjacent to the Property adhere to the buffering requirements set forth in Exhibit "B" attached hereto.

Section 3. It is hereby found and determined that all formal actions of City Council concerning and relating to the adoption of this legislation were adopted in an open meeting of City Council, and that all deliberations of City Council and/or its committees that resulted in such formal action were in meetings open to the public, in compliance with Section 121.22 of the Ohio Revised Code.

Section 4. This Ordinance is hereby declared to be an emergency measure, necessary for the immediate preservation of the public peace, health, safety and welfare, and as an emergency measure this ordinance shall take effect and be in force from and after its passage by City Council and approval by the Mayor.

Passed this _____ day of _____, 2026.

_____
Thad R. Eikenbary – President of Council

Attest: _____
Stephanie R. Phillips – Clerk of Council

_____
Kenneth J. Markward, Mayor

EXHIBIT "A"

684.165 +/- Acre Ridge Township Annexation - Legal Description and Annexation Plat

Situated in Section 5 and in the Northeast and Northwest Quarters of Section 8 and the Northwest Quarter of Section 9, Town 2 South, Range 3 East, Ridge Township, Van Wert County, Ohio, and being more particularly described as follows;

Beginning at the northwest corner of the northwest quarter post of said Section 5, being a monument box found;

Thence along the north line of said northwest quarter of said section 5, S.88°44'12"E., a distance of 2612.20 feet to a monument box found at the north quarter post of section 5;

Thence on the north line of the northeast quarter of said section 5, S.89°04'31"E., a distance of 2729.63 feet to a 8" wood post found at the northeast corner of the northeast quarter of said section 5;

Thence on the east line of the northeast quarter of said section 5, S.01°31'39"W., a distance of 2758.24 feet to the east quarter post of said section 5;

Thence on the east line of the southeast quarter of said section 5, S.01°16'23"W., a distance of 2641.68 feet to a monument box found at the southeast corner of the southeast quarter of said section 5, also the northwest corner of the northwest quarter of section 9;

Thence on the north line of the northwest quarter of said section 9, S.89°31'03"E., a distance of 1330.54 feet to a 5/8" iron pin found a the northeast corner of the northwest quarter of the northwest quarter of said section 9the east quarter post of said section 5;

Thence on the east line of the northwest quarter of the northwest quarter of said section 9, S.00°56'48"W., a distance of 844.77 feet to a mag nail found;

Thence running along the north limited access right of way of Unites States Route 30 on the following fifteen (15) courses and distances:

1. N.89°02'25"W., a distance of 35.05 feet to a 5/8” iron pin found;

2. S.06°32'49"W., a distance of 758.41 feet to a 5/8” iron pin found;

3. on a curve to the left having a radius of 3004.79 feet (chord bearing, N.65°33'11"W., a chord distance of 1336.18 feet having a delta angle 25°41'36") an arc distance of 1347.45 feet to a 5/8” iron pin found;

4. N.84°48'36"W., a distance of 325.11 feet to a 5/8” iron pin found;

5. N.88°11'00"W., a distance of 305.98 feet to a 5/8” iron pin found;

6. N.87°18'50"W., a distance of 692.32 feet to a 5/8” iron pin found;

7. N.87°20'35"W., a distance of 1228.12 feet to a 5/8” iron pin found;

8. N.02°39'25"E., a distance of 30.59 feet to a 5/8” iron pin found;

9. N.02°48'04"W., a distance of 463.33 feet to a 5/8” iron pin found;

10. N.89°14'50"W., a distance of 64.18 feet to a mag nail found in the west line of the northwest quarter of said Section 8;

11. N.89°16'36"W., a distance of 55.43 feet to a 5/8” iron pin found;

12. S.04°35'00"W., a distance of 488.24 feet to a 5/8” iron pin found;

13. N.87°20'28"W., a distance of 2497.46 feet to a 5/8” iron pin found;

14. N.02°22'16"W., a distance of 492.75 feet to a 5/8” iron pin found;

15. N.88°50'04"W., a distance of 35.00 feet to a 5/8” iron pin found in the west line of the northwest quarter of the northwest quarter section 8;

Thence on the west line of the northwest quarter of the northwest quarter of said section 8, N.01°14’50”E., a distance of 536.12 feet to a monument box found at the southwest corner of the southwest quarter of section 5;

Thence on the west line of the southwest quarter of the southwest quarter of said section 5, N.00°49’54”E., a distance of 1345.10 feet to a 5/8” iron pin found at the southwest corner of a 78.116 acre tract as described in Official Record 410, Page 4099;

Thence running along said 78.116 acre tract on the following three (3) courses and distances:

1. S.87°27'08"E., a distance of 2383.04 feet to a 5/8" iron pin found;

2. N.00°39'48"E., a distance of 110.78 feet to a 5/8" iron pin found;

3. S.86°35'12"E., a distance of 256.24 feet to a mag nail found in the east line of the northwest quarter of section 5;

Thence along the east line of said northwest quarter, N.00°39'51"E., a distance of 1194.38 feet to a monument box found at the center of said Section 5;

Thence on the south line of the northwest quarter of said section 5, N.87°27'51"W., a distance of 982.44 feet to a 5/8" iron pin found at the southeast corner of a 50.221 acre tract as described in Official Record 367, Page 277;

Thence running along said 50.221 acre tract on the following two (2) courses and distances:

1. N.00°51'53"E., a distance of 1333.34 feet to a 5/8" iron pin found;

2. N.88°06'19"W., a distance of 1652.91 feet to a 5/8" iron pin found in the west line of the northwest quarter of section 5;

Thence on the west line of said northwest quarter, N.00°50'00"E., a distance of 1314.51 feet to the Point of Beginning;

Containing 684.165 acres, more or less, of which 523.118 acres lie in Section 5, 122.544 acres lie in Section 8 and 38.503 acres lie in Section 9 and being subject to all legal highways, rights-of-way, easements, restrictions, covenants, and/or conditions of record.

The above description and bearing system is based on a survey prepared by Michael L. Howbert, Registered Professional Surveyor, No. 7959, in June of 2026.

To be known as SD-530, 530-1, 530-2, 530-3, 530-4, 530-5, 530-6, 530-7, 530-8, 530-9, 530-10, 530-11, 530-12, 530-13, 530-14, 530-15, 530-16, 530-17, 530-18, 530-19, 530-20, 530-21, 530-22, 530-23, and 530-24, in the City of Van Wert.

The parcel numbers will be Parcel Nos. 17-041224.0000, 17-041220.0000, 17-041220.0100, 17-041192.0000, 17-041184.0000, 17-041188.0000, 17-041196.0000, 17-041200.0000, 17-041200.0100, 17-041216.0000, 17-041204.0100, 17-041204.0103, 17-041208.0300, 17-041292.0000, 17-041204.0000, 17-041496.0000, 17-041284.0600, 17-041292.0100, 17-041204.0101, 17-041204.0102, 17-041204.0104, 17-041208.0100, 17-041208.0200, 17-041460.0000, 17-041444.0100 – 684.165 ac.- SD 530, SD 530-1, SD 530-2, SD 530-3, SD 530-4, SD 530-5, SD 530-6, SD 530-7, SD 530-8, SD 530-9, SD 530-10, SD 530-11, SD 530-12, SD 530-13, SD 530-14, SD 530-15, SD 530-16, SD 530-17, SD 530-18, SD 530-19, SD 530-20, SD 530-21, SD 530-22

EXHIBIT "B"

684.165 +/- Acre Ridge Township Annexation – Buffering Requirements

All Buffering requirements for this property shall be in conformity with Van Wert Code of Ordinances Section 150.23.