

**Sylvania City Council**

June 17, 2013

**6:30 p.m. Committee-of-the-Whole**

CRA No. 3, 8, 6 and 1 Amendments

**7:30 p.m. Council Meeting**

**Agenda**

1. Roll call.
2. Pledge of Allegiance to the United States of America led by Mr. Haynam.
3. Additions to the agenda.
4. Approval of the minutes of the June 3 meeting.
5. Erie Street Bridge No. 122 Replacement Project:
  - a. Service Director's report on Construction Testing Services; and
  - b. proposed Ordinance 49-2013, accepting the proposal of Bowser-Morner for services in an amount of \$6,523.25.
6. 2013 Resurfacing Project:
  - a. Service Director's report on 2013 Resurfacing Project; and
  - b. Authorize clerk to advertise for bids.
7. Zoning Ordinance Amendment Applications for referral to Municipal Planning Commission:
  - a. Application No. ZA-2-2013, 5445 Main Street, Sylvania, OH 43560 from R-3 to B-2.
  - b. Application No. ZA-3-2013, 5453 Main Street, Sylvania, OH 43560 from R-3 to B-2.
  - c. Application No. ZA-4-2013, 5457 Main Street, Sylvania, OH 43560 from R-3 to B-2.
8. Municipal Planning Commission's recommendation regarding Zoning Ordinance Amendment ZA-1-2013. Set public hearing and authorize clerk to advertise.
9. Proposed Ordinance 50-2013, Accepting proposal of R/P Marketing Public Relations to upgrade the City's website.
10. Committee reports.
  - a. Report of Committee-of-the-Whole from 6:30p.m.
    1. Ordinance No. 22-2013, "Amending CRA No. 3..."
    2. Ordinance No. 23-2013, "Amending CRA No. 8..."
    3. Ordinance No. 46-2013, "Amending CRA No. 6..."
    4. Ordinance No. 48-2013, "Amending CRA No. 1..."

11. Committee referrals.

Information

- A. May 2013 Bank Statement.
- B. May Cash Report from the Division of Taxation.
- C. Letter from Lucas County Commissioners conveying certified copy of Resolution No. 13-452 granting Annexation petition No. 2013-1.
- D. Minutes of the June 12, 2013 Planning Commission meeting.
- E. Minutes of the June 12, 2013 Board of Architectural meeting.

**NOTE:** The Annexation & Zoning Committee will meet Tuesday, April 18, 2013 at 8:00 a.m.

Minutes of the Meeting of Council  
June 3, 2013

The Council of the City of Sylvania, Ohio met in regular session on June 3, 2013 at 7:30 p.m. with Mayor Craig A. Stough in the chair. Roll was called with the following members present: Mike Brown, Katie Cappellini, Doug Haynam, Sandy Husman, Mark Luetke, Todd Milner, Mary J. Westphal (7); absent: (0).

Roll call:  
All present.

Mrs. Cappellini led the Pledge of Allegiance to the United States of America.

Pledge of Alleg.

Mayor Stough stated that Council will now consider agenda item 3.

Requests were made for the following additions to the agenda:

Additions to the agenda.

- 6a. Residents of Balfour Road comments.
- 10b. Employee & Community Relations Committee report.
- 12. Referral of ZA-1-2013 to Municipal Planning Committee.

Mr. Milner moved, Mr. Brown seconded, to approve the agenda as amended; roll call vote being: Brown, Cappellini, Haynam, Husman, Luetke, Milner, Westphal, (7) yeas; (0) nays. The motion carried.

Mayor Stough stated that Council will now consider agenda item 4.

Mrs. Westphal presented the May 20 minutes. Mrs. Westphal moved, Mr. Luetke seconded, that since the Mayor, members of Council, and others had been furnished copies of these minutes prior to this meeting, Council dispense with the reading of these minutes at this time, and the journal of the minutes of the regular meeting of May 20, 2013 be approved; roll call vote being: Cappellini, Haynam, Husman, Luetke, Milner, Westphal, Brown (7) yeas; (0) nays. The motion carried.

Approval of the May 20 minutes.

Mayor Stough stated that Council will now consider agenda item 5.

Mayor Stough introduced Sister City Mayor Pat Sobeski and Councillor Ron Frazier, of the City of Woodstock. Mayor Sobeski presented an economic development video of their city and spoke regarding the benefits of the Sister City relationship with the City of Sylvania.

Mayor Stough stated that Council will now consider agenda item 6.

Minutes of the Meeting of Council  
June 3, 2013

Mr. Haynam presented and read aloud by title only, proposed Ordinance 45-2013, a written copy of same having been previously furnished to each member of Council, "Approving the recommendation of the Municipal Planning Commission relative to Planned Development Application No. PD-2-2012 of Port Lawrence Title and Trust Company; and declaring an emergency." Mr. Haynam moved, Mr. Brown seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Haynam, Husman, Luetke, Milner, Westphal, Brown, Cappellini, (7) yeas; (0) nays. The motion carried.

Ord. 45-2013  
"Approving  
Recommendation  
of Plan Com  
.....PD-2-2012"

Mr. Haynam moved, Mrs. Westphal seconded, that Ordinance 45-2013 be enacted as an emergency measure as declared therein; roll call vote being; Husman, Luetke, Milner, Westphal, Brown, Cappellini, Haynam, (7) yeas; (0) nays. The motion carried.

Mayor Stough state that Council will now consider added agenda item 6a.

Several residents of Balfour Road addressed Council regarding the condition of several properties located on Balfour Road. Council will review and pursue avenues to progress the correction of these issues.

Mayor Stough stated that Council will now consider agenda item 7.

The Service Director's report on the Erie Street Bridge No. 122 Replacement Project was placed on file. Mr. Milner presented and read aloud by title only, proposed Ordinance 47-2013, a written copy of same having been previously furnished to each member of Council, "Accepting the proposal of DGL Consulting Engineers, LLC for professional construction engineering services for the Erie Street Bridge No. 122 Replacement Project; appropriating funds therefore in the amount of \$3,800; and declaring an emergency." Mr. Milner moved, Mrs. Husman seconded, that Council dispense with the Second and Third Readings of said Resolution; roll call vote being: Luetke, Milner, Westphal, Brown, Cappellini, Haynam, Husman, (7) yeas; (0) nays. The motion carried.

Ordinance  
47-2013,  
"Accepting  
proposal...DGL  
...engineering  
services...Erie  
St. Bridge."

Mr. Milner moved, Mr. Haynam seconded, that Ordinance 47-2013 be enacted as an emergency measure as declared therein; roll call vote being; Milner, Westphal, Brown, Cappellini, Haynam, Husman, Luetke, (7) yeas; (0) nays. The motion carried.

Minutes of the Meeting of Council  
June 3, 2013

Mayor Stough stated that Council will now consider agenda item 8.

Mrs. Westphal moved, Mr. Haynam seconded to refer amending Community Reinvestment Areas No. 3, No. 8, and No. 6 to Committee-of-the-Whole for further review and recommendation. The Committee will meet on June 17, 2013 at 6:30p.m. Roll call vote being; Westphal, Brown, Cappellini, Haynam, Husman, Luetke, Milner, (7) yeas; (0) nays. The motion carried.

COW Mtg.  
6/17/13, 6:30p.m.

Mayor Stough stated that Council will now consider agenda item 9.

Mrs. Westphal moved, Mr. Milner seconded, that no hearing be requested for the transfer of the D1, D2, D3, D6 liquor permit from Jenna, LLC, d/b/a Jennas Restaurant, 5629 Main Street to AYA Downtown, LLC d/b/a Paddy Jacks, 5629 Main Street; roll call vote being: Brown, Cappellini, Haynam, Husman, Luetke, Milner, Westphal, (7) yeas; (0) nays. The motion carried.

No objection to  
liquor permit  
transfer for  
Paddy Jacks.

Mayor Stough stated that Council will now consider agenda item 10.

Mrs. Westphal reported on the Committee-of-the-Whole meeting held at 6:30p.m. She reported on the review of amendments to Part Eleven, Section 1117.07-Accessory Building and Uses of the Planning and Zoning of the Codified Ordinances of Sylvania. After discussion, Mr. Haynam moved, Mr. Luetke seconded to refer this matter to the Zoning & Annexation Committee for further review. The Committee will meet on June 18, 2013 at 8:00a.m. Roll call vote being: Cappellini, Haynam, Husman, Luetke, Milner, Westphal, Brown, (7) yeas; (0) nays. The motion carried.

Zoning & Annex.  
Committee  
6/18/13, 8:00a.m.

Mayor Stough stated that Council will now consider added agenda item 10b.

Mr. Luetke reported on the Employee & Community Relations Committee meeting held on May 24, 2013 at 8:00 a.m. regarding the revisions to the City website. The committee recommends to contract with RP Marketing Public Relations for a cost not to exceed \$72,000.00 plus a 10% contingency if it goes over 200 pages. Also recommended the project be a two year investment. First year (2013) cost not to exceed \$30,000.00 for planning, web development and creative design. Second year cost not to exceed \$45,000.00 with funding being from savings of the Country Journal printing reduction and the telecommunications contract. Mr. Luetke moved, Mr. Milner seconded to direct administration to prepare a contract and legislation to approve at next meeting; roll call vote being: Haynam, Husman, Luetke, Milner, Westphal, Brown, Cappellini, (7) yeas; (0) nays. The motion carried.

Website  
Revisions  
recommendations  
from Committee.

Minutes of the Meeting of Council  
June 3, 2013

There being nothing for agenda item 11, Mayor Stough stated that Council will now consider added agenda item 12.

Mr. Haynam moved, Mr. Luetke seconded to refer Zoning Ordinance Amendment Application No. ZA-1-2013 to the Municipal Planning Commission for review and recommendation; roll call vote being: Husman, Luetke, Milner, Westphal, Brown, Cappellini, Haynam, (7) yeas; (0) nays. The motion carried.

ZA-1-2013  
Referral to Plan  
Commission.

Mayor Stough stated that all items on the agenda had been considered.

Mrs. Westphal moved, Mr. Haynam seconded, that this meeting adjourn; all present voting yea (7); (0) nays. The motion carried and the meeting adjourned 8:50 p.m.

Adjournment.

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Clerk of Council

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Mayor

59



# City Of Sylvania

DEPARTMENT OF PUBLIC SERVICE

KEVIN G. ALLER, PE DIRECTOR

June 3, 2013

To: The Mayor and Members of Sylvania City Council

Re: **CONSTRUCTION TESTING SERVICES  
ERIE STREET BRIDGE NO. 122 REPLACEMENT PROJECT**

Dear Mr. Mayor and Council Members:

We have received a proposal from Bowser-Morner to perform construction testing services for the above referenced project. Standard testing procedures for monitoring aggregate compaction, concrete strength and asphalt installation are among the various services included within their scope of work with this proposal.

Bowser-Morner has provided construction testing services on previous projects for the City and is knowledgeable and experienced on these types of projects.

We would recommend that the proposal from Bowser-Morner in the amount of \$6,523.25 for construction testing services be accepted.

Sincerely,

Kevin G. Aller, P.E.  
Director of Public Service  
KGA/dsw

ORDINANCE NO. 49-2013

**ACCEPTING THE PROPOSAL OF BOWSER-MORNER FOR CONSTRUCTION TESTING SERVICES FOR THE ERIE STREET BRIDGE NO. 122 REPLACEMENT PROJECT; APPROPRIATING FUNDS THEREFORE IN THE AMOUNT OF \$6,523.25; AND DECLARING AN EMERGENCY.**

WHEREAS, Ordinance No. 39-2013, passed April 15, 2013, accepted the bid of Vernon Nagle, Inc. and awarded the contract for the Erie Street Bridge No. 122 Replacement Project to same; and,

WHEREAS, Ordinance No. 47-2013, passed June 3, 2013, accepted the proposal of DGL Consulting Engineers, LLC to perform construction engineering services for this project and appropriated the sum of \$3,800 for said services; and,

WHEREAS, the Director of Public Service has received a proposal from Bowser-Morner to perform construction testing services for this project, including monitoring aggregate compaction, concrete strength and asphalt installation; and,

WHEREAS, the Director of Public Service, in a report dated June 3, 2013, has recommended acceptance of the proposal of Bowser-Morner for construction testing services at a cost to the City of \$6,523.25.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Sylvania, Lucas County, Ohio, \_\_\_\_\_ members elected thereto concurring:

SECTION 1. That the proposal of Bowser-Morner in the amount of Six Thousand Five Hundred Twenty-Three and 25/100 Dollars (\$6,523.25), for construction testing services for the Erie Street Bridge No. 122 Replacement Project, is hereby accepted.

SECTION 2. That the Director of Public Service shall promptly give notice to said consultant to proceed under the proposal hereby approved and accepted.

SECTION 3. That to provide funds for said services hereby authorized, there is hereby appropriated from the **CAPITAL IMPROVEMENT FUND** from funds therein not heretofore appropriated to **Account No. 401-7610-53610 – Erie Street Bridge Replacement Project** the

total sum of Six Thousand Five Hundred Twenty-Three and 25/100 Dollars (\$6,523.25).

SECTION 4. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 5. That the Clerk of Council is hereby directed to post a copy of this Ordinance in the Office of the Clerk of Council in the Municipal Building pursuant to ARTICLE III, Section 12, of the Charter of this City.

SECTION 6. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, property and welfare and for the further reason that the construction testing services should be provided for immediately. Provided this Ordinance receives the affirmative vote of five (5) or more members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force thirty (30) days after it is approved by the Mayor or as otherwise provided by the Charter.

Vote dispensing with the second and third readings:           Yeas \_\_\_\_\_ Nays \_\_\_\_\_

Passed, \_\_\_\_\_, 2013, as an emergency measure.

\_\_\_\_\_  
President of Council

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Clerk of Council

\_\_\_\_\_  
Director of Law

APPROVED:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date



# City Of Sylvania

DEPARTMENT OF PUBLIC SERVICE

KEVIN G. ALLER, PE DIRECTOR

June 6, 2013

To: The Mayor and Members of Sylvania City Council

Re: **2013 Resurfacing Project**

Dear Mr. Mayor and Council Members:

Construction drawings for the above-mentioned project have been reviewed and are now complete and ready to be bid.

The Department plans to provide pavement rehabilitation and resurfacing to Lane Street, Winding Way, Country Place and Balfour Street (north of Marshall Road) as a part of this project. These roadways were selected based on Pavement Condition Ratings (PCR) provided by our Streets Department in 2012 and 2013. The values assigned to these roadways were among the lowest in the City.

The estimated cost for this project is \$146,629 and is to be funded out of the City Capital Improvement Budget.

We would request that the Clerk of Council be authorized to advertise for bids.

Sincerely,

Kevin G. Aller  
Director of Public Service  
KGA/dsw

7a

PETITION FOR ZONING ORDINANCE AMENDMENT

To: City of Sylvania, Ohio  
City Council and  
Municipal Planning Commission

Application No. ZA-2-2013  
Date 6/10/13

Petitioner Name(s) David M. Garner for Edifice Rex, Ltd.  
Petitioner Address 5019 Rolandale Ave.  
Toledo, OH 43623  
Telephone 419-276-8800

Location of property for which zoning amendment is requested:  
5445 Main Street South, Sylvania, OH 43560 (Parcel # 8202174)

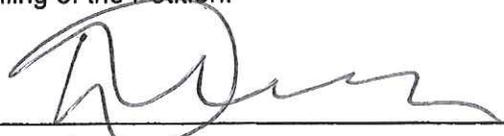
Purpose of amendment request: To increase the opportunities for use of  
the property.

Current Zoning: R-3 Requested Zoning: B-2

The undersigned, being one or more of the owners, lessees or occupants within the area proposed to be changed by the amendment, hereby petition for an Amendment to the Zoning Code, pursuant to Chapter 1107 of the Codified Ordinances of the City of Sylvania, Ohio, as amended.

- Attachments: 1. Full legal description of the property for which the Zoning Amendment is proposed.  
2. Area location map.  
3. Site plan - if plan is larger than 11" x 17", eighteen (18) copies must be submitted.

A check for \$150.00, payable to the City of Sylvania, is attached for processing of said Petition. It is understood that no refund is to be made after the filing of the Petition.

By:   
David M. Garner, Ph.D.

Date referred by Council: 6/17/13  
Date of Commission Action: \_\_\_\_\_  
Date of Council Action: \_\_\_\_\_  
Action: \_\_\_\_\_





20130515-0025288

Pages: 4 Fee: \$44.00

05/15/2013 04:06:49 PM

T20130020159

Phil Copeland

Lucas County Recorder DEED

05/15/2013

TRANSFERRED BY WVR \$0.50  
IN COMPLIANCE WITH SEC. 319.202 R.C.  
ANITA LOPEZ, AUDITOR  
LUCAS COUNTY, OHIO

FEE: \$472.00 EX: MULTI:

PARCEL: 82-02174 COUNT: 1

TRANS. #: 13-103198

### FIDUCIARY DEED

Rev. Code Sec. 5302.09

Helen M. White and Barbara A. Bennett, Successor Co-Trustees of the Berkley R. Bush Revocable Trust dated June 10, 1992, by the power conferred in the trust agreement, and every other power, for valuable consideration paid, grant, with fiduciary covenants, to Edifice Rex Ltd., an Ohio limited liability company, whose tax mailing address is 5019 Rolandde Ave Toledo OH, the following real property:

43023

See Exhibit A attached hereto and made a part hereof

Tax Parcel No.: 82-02174

Address: 5445 S. Main Street, Sylvania, Ohio 43560

Prior Instrument Reference: Deed No. 00-009B06

SUBJECT TO: Legal highways; governmental ordinances; zoning ordinances; easements, reservations, agreements, conditions and restrictions of record; tenants currently in possession pursuant to oral leases; and taxes and assessments due and payable after the date of this deed.

*[Remainder of this page left intentionally blank – signatures on following page]*

Executed this 3 day of May, 2013.

Helen M. White, Successor  
Helen M. White, Successor Co-Trustee WV Stee  
of the Berkley R. Bush Revocable Trust  
dated June 10, 1992

STATE OF OHIO            )  
  )ss:  
COUNTY OF LUCAS        )

The foregoing instrument was acknowledged before me 3 day of May, 2013 by Helen M. White, Successor Co-Trustee of the Berkley R. Bush Revocable Trust dated June 10, 1992.

(SEAL)

[Signature]  
\_\_\_\_\_  
Notary Public  
My Commission Expires: \_\_\_\_\_



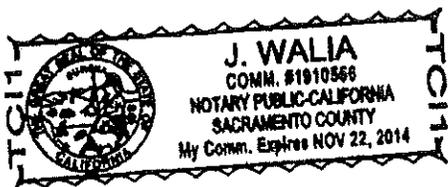
NEAL MAHONEY  
NOTARY PUBLIC - OHIO  
MY COMMISSION EXPIRES 06-14-2015

*Barbara A. Bennett, Successor Co-Trustee*  
Barbara A. Bennett, Successor Co-Trustee  
of the Berkley R. Bush Revocable Trust  
dated June 10, 1992

STATE OF California  
COUNTY OF Sacramento )ss:

The foregoing instrument was acknowledged before me 2<sup>nd</sup> day of May, 2013 by Barbara A. Bennett, Successor Co-Trustee of the Berkley R. Bush Revocable Trust dated June 10, 1992.

(SEAL)



*J. Walia*  
Notary Public  
My Commission Expires: NOV. 22, 2014

Prepared by: Gene R. Abercrombie Esq., Eastman & Smith Ltd., One SeaGate, 24 Floor, P.O. Box 10032, Toledo, OH 43699-0032

After recording return to: Douglas A. Dymarkowski, Esq., 5431 Main Street, Sylvania, Ohio 43560-2155

**EXHIBIT A**

All that part of the northwest quarter (1/4) of Section ten (10), Town nine (9) South, Range six (6) East in the City of Sylvania, Lucas County, Ohio, bounded and described as follows:

Beginning at a point on the center line of Main Street (formerly Sylvania and Maumee Road) that is four hundred thirty-three and seven tenths (433.7) feet north of its intersection with the east and west center line of said Section ten (10); thence north along the center line of said Main Street seventy-eight (78) feet; thence west on a line drawn at right angles with the center line of said Main Street two hundred thirty-seven and one hundred twenty-five thousandths (237.125) feet; thence south on a line that is parallel with the said center line of Main Street seventy-eight (78) feet; thence east on a direct line two hundred thirty-seven and one hundred twenty-five thousandths (237.125) feet to the place of beginning, excepting therefrom the easterly thirty-seven and one hundred twenty-five thousandths (37.125) feet that is now used for Street purposes. Subject to all legal highways.

Parcel No. 82-02174



PETITION FOR ZONING ORDINANCE AMENDMENT

To: City of Sylvania, Ohio  
City Council and  
Municipal Planning Commission

Application No. ZA-3-2013

Date 6/10/13

Petitioner Name(s) David M. Garner for Edifice Rex, Ltd.

Petitioner Address 5019 Rolandale Ave.

Toledo, OH 43623

Telephone 419-276-8800

Location of property for which zoning amendment is requested:

5453 Main Street South, Sylvania, OH 43560 (Parcel # 8202167)

Purpose of amendment request: To increase the opportunities for use of  
the property.

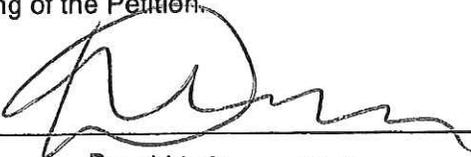
Current Zoning: R-3

Requested Zoning: B-2

The undersigned, being one or more of the owners, lessees or occupants within the area proposed to be changed by the amendment, hereby petition for an Amendment to the Zoning Code, pursuant to Chapter 1107 of the Codified Ordinances of the City of Sylvania, Ohio, as amended.

- Attachments:**
1. Full legal description of the property for which the Zoning Amendment is proposed.
  2. Area location map.
  3. Site plan - if plan is larger than 11" x 17", eighteen (18) copies must be submitted.

A check for \$150.00, payable to the City of Sylvania, is attached for processing of said Petition. It is understood that no refund is to be made after the filing of the Petition.

By:   
David M. Garner, Ph.D.

Date referred by Council: 6/17/13

Date of Commission Action: \_\_\_\_\_

Date of Council Action: \_\_\_\_\_

Action: \_\_\_\_\_

**Parcel : 82-02167**

**Assessor : 45-025-008.Z**

**Address : 5453 MAIN ST SYLVANIA OH 43560**

**Summary - General**



Split Status:  
 Flags:  
 Tax District : SYLVANIA CITY-SYLVANIA CSD  
 Pro # :  
 Bank :  
 Class/Landuse : R / 21 Map No. :  
 Zoning Code: R-3  
 Zoning Description: Multiple Dwelling Medium Density District  
 Owner : EDIFICE REX LTD AN OHIO LL C #  
 Address : 5453 MAIN ST  
 SYLVANIA OH 43560  
 Mailing Address : EDIFICE REX LTD  
 5465 MAIN STREET  
 SYLVANIA OH 43560  
 Legal Desc. : 6 9 9 NE 1/4 AND 6 9 10 NW PT BET RR & MAIN ST & S OF CRK & N OFS 433.7 FT  
 EXC E 350 FT PT N OF S 557 FT & EXC N 78 FT S 511.7 FT E 237.13 FT  
 Tax Map : [Link to Archived Tax Map Viewer](#)

**Summary - Attributes**

Frontage :	45.000	Occupancy :	TWOFAM	TLA :	1904
Depth :	0	Stories :	TWO	Year Built :	1907
Acres :	1.130	Wall :	WOOD	Bed No. :	4
Baths :	2	Gar. Type :		Gar. Sq. Ft. :	

**Summary - Most Recent Sale**

Prior Owner : WHITE HELEN M SUC TRUSTEE ETAL \*  
 Sale Amount : 100,000.00  
 Deed : FD Sale Date : 10/10/2012

**Summary - Taxes & Values**

	35% Values	100% Values	35% Roll	100% Roll
Land :	14,980	42,800	13,620	38,900
Building :	23,310	66,600	11,660	33,300
Total :	38,290	109,400	25,280	72,200
Last Val. Chg. :	12/06/2012		Roll Flag :	
	1st Half	2nd Half		
Homestead Red. :	0.00	0.00		
Net General :	1,508.72	1,508.72		
Net Specials :	39.36	39.36		
Tax Due :	1,548.08	1,548.08		
Collected :	1,548.08	0.00		
Unpaid :	0.00	1,548.08		

Disclaimer

# LEWANDOWSKI ENGINEERS

Civil Engineers & Surveyors  
234 North Erie Street  
Toledo, OH 43604  
419-255-1111 fax 255-1112

*established* 1916  
Matthew D. Lewandowski P.L.S.  
John R. Lewandowski P.E., P.L.S., 1922-1995  
Louis Lewandowski P.E., P.L.S., 1894-1983

Prior Deed: O.R. 00-009-B06  
Parcel: 82-02167  
LE Survey #45438

**Legal Description:** Being part Section 10, Town 9 South, Range 6 East, in the City of Sylvania, Lucas County, Ohio, bounded and described as follows:

Commencing at a magnetic nail found at the East/West centerline of Section 10, Town 9 South, Range 6 East, also being the centerline of Main Street, so called.

Thence North 01 degree, 01 minute, 02 seconds West along the centerline of Main Street, a distance of 511.70 feet to a point,

Thence South 88 degrees, 58 minutes, 58 seconds West a distance of 37.12 feet to a 1/2 inch galvanized steel pipe set on the Westerly right-of-way of Main Street, said point being the True Point of Beginning.

Thence continuing South 88 degrees, 58 minutes, 58 seconds West a distance of 200.00 feet to a 1/2 inch galvanized steel pipe set.

Thence South 01 degree, 01 minutes, 02 seconds East, a distance of 78.00 feet to a 1/2 inch galvanized steel pipe set.

Thence South 88 degrees, 58 minutes, 58 seconds West, a distance of 150.45 feet to a 1/2 inch galvanized steel pipe set on the Easterly right-of-way of the Pennsylvania Lines Railway.

Thence North 16 degrees, 41 minutes, 51 seconds West, along the Easterly right-of-way of the Pennsylvania Lines Railway, a distance of 27.80 feet to a 1/2 inch galvanized steel pipe set at a point of deflection of said right-of-way.

Thence South 76 degrees, 13 minutes, 46 seconds West, along the Easterly right-of-way of the Pennsylvania Lines Railway, passing a bent iron pipe found at 18.48 feet, an overall distance of 18.53 feet to a point of deflection of said right-of-way.

Thence North 00 degrees, 04 minutes, 18 seconds West, along the Easterly right-of-way of the Pennsylvania Lines Railway, passing a 1/2 inch galvanized steel pipe set at 224.40 feet, an over all distance of 256.78 feet to the centerline of Ten Mile Creek, so called.

site development  
wetland delineation  
sewage treatment  
storm drainage  
pavements  
geotechnical design  
construction supervision  
surveys

Thence North 83 degrees, 57 minutes, 57 seconds East, along the centerline of the Ten Mile Creek a distance of 59.14 feet to a point.

Thence South 01 degree, 01 minute, 02 seconds East, passing a 1/2 inch galvanized steel pipe set at 37.19 feet, an over all distance of 161.29 feet to a 1/2" iron bar found.

Thence North 88 degrees, 58 minutes, 58 seconds East a distance of 312.88 feet to a 1/2 inch galvanized steel pipe set on the Westerly right-of-way of Main Street.

Thence South 01 degree, 01 minute, 02 seconds East, along the Westerly right-of-way of Main Street a distance of 45.30 feet to the True Point of Beginning.

Containing 39,685.62 square feet or 0.911 acres of land. Bearings used herein are based upon an assumed meridian and are intended to indicate angular measurement only. All 1/2" galvanized steel pipe set are capped with the company name and PLS #7476. This legal description is based upon a field survey prepared by Lewandowski Engineers on September 18, 2012



Legal Description Prepared by

A handwritten signature in black ink, appearing to read "Matthew D. Lewandowski".

Matthew D. Lewandowski, P.L.S.  
Registered Surveyor, State of Ohio No. 7476

**DESCRIPTION APPROVED**  
BY *WJH* DATE *10/3/12*  
LUCAS CO. TAX MAP DEPT.



SURVEY #45438  
 CONTRACT H-14188

SURVEY MADE FOR: RICH REIFF

09/18/12

**CERTIFICATE OF SURVEY:**  
**PT SEC. 10, T9S, R6E**  
 CITY OF SYLVANIA, LUCAS COUNTY, OHIO

**MONROE**

**AREA**

39,585.62 SQ.FT.  
 OR  
 0.911 ACRES



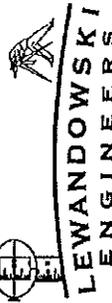
GRAPHIC SCALE  
 ( IN FEET )  
 1 inch = 40 ft.



**CERTIFICATION**

WE HEREBY CERTIFY THAT WE HAVE MADE A SURVEY OF THE PREMISES SHOWN HEREON AS RECORDED IN THE PUBLIC RECORDS OF LUCAS COUNTY, OHIO, AND THAT THIS DRAWING IS A CORRECT PLOT THEREOF.

REGISTERED SURVEYOR, STATE OF OHIO #7478



**LEWANDOWSKI ENGINEERS**  
 CIVIL ENGINEERS & SURVEYORS  
 1000 W. MAIN ST., SUITE 101  
 TOLUCA, OHIO, 43085  
 P: 618.282.4111 F: 618.282.4112  
 LEWANDOWSKIENGINEERS.COM

PT. SEC. 10, T9S, R6E

FD. LBAR IN BOX  
 N 13904.47  
 E 10346.48

1225.85'

37.12' R/W

45.30'

S01°01'02"E

37.12'

S88°58'58"E

511.70'

N01°01'02"W

511.70'

1225.85'

37.12' R/W

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37.12' R/W

ADJACENT OWNER  
 EDIFACE REX  
 5465 MAIN ST.  
 SYLVANIA, OHIO, 43560  
 PARCEL # 82-03441

FOUND I. PIPE  
 S 0.06'  
 GOOD E/W  
 N 13235.07  
 E 10321.24

BLDG.  
 2.9' S.  
 18.6' W.

40.2'  
 2-STORY  
 FRAME

40.2'

P.O.B.  
 N 13169.78  
 E 10322.04

SET 1/2" GALV.  
 STEEL PIPE

B.T. DRV.

ADJACENT OWNER  
 BUSH, BERKLEY, TR.  
 5441 S. MAIN ST.  
 SYLVANIA, OHIO, 43560  
 PARCEL # 82-02174

200.00'

S88°58'58"W

312.88'

ADJACENT OWNER  
 EDIFACE REX  
 5465 MAIN ST.  
 SYLVANIA, OHIO, 43560  
 PARCEL # 82-03442

N 13166.23  
 E 10122.08

SET 1/2" GALV.  
 STEEL PIPE

78.00'

S01°01'02"E

SET 1/2" GALV.  
 STEEL PIPE

ADJACENT OWNER  
 BUSH, MARY, TR.  
 5441 S. MAIN ST.  
 SYLVANIA, OHIO, 43560  
 PARCEL # 82-02172

150.45'

S88°58'58"W

150.45'

SET 1/2" GALV.  
 STEEL PIPE

27.80'

N16°41'51"W

27.80'

SET 1/2" GALV.  
 STEEL PIPE

N 13105.57  
 E 9973.03

SET 1/2" GALV.  
 STEEL PIPE

N 13132.20  
 E 9965.05

OWNER  
 BUSH, BERKLEY, TR.  
 5441 S. MAIN ST.  
 SYLVANIA, OHIO, 43560  
 PARCEL # 82-02167

78.00'

S01°01'02"E

SET 1/2" GALV.  
 STEEL PIPE

SLOPE

ADJACENT OWNER  
 BUSH, MARY, TR.  
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 PARCEL # 82-02172

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 E 9947.05

FOUND I. PIPE  
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 N 13127.80  
 E 9947.05

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 E 9965.05

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7c

PETITION FOR ZONING ORDINANCE AMENDMENT

To: City of Sylvania, Ohio  
City Council and  
Municipal Planning Commission

Application No. ZA-4-2013  
Date 6/10/13

Petitioner Name(s) David M. Garner for Edifice Rex, Ltd.  
Petitioner Address 5019 Rolandale Ave.  
Toledo, OH 43623  
Telephone 419-276-8800

Location of property for which zoning amendment is requested:

5457 Main Street South, Sylvania, OH 43560 (Parcel # 820344)

Purpose of amendment request: To increase the opportunities for use of  
the property.

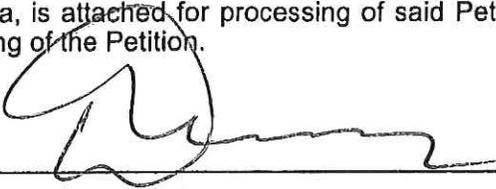
Current Zoning: R-3

Requested Zoning: B-2

The undersigned, being one or more of the owners, lessees or occupants within the area proposed to be changed by the amendment, hereby petition for an Amendment to the Zoning Code, pursuant to Chapter 1107 of the Codified Ordinances of the City of Sylvania, Ohio, as amended.

- Attachments:
- 1. Full legal description of the property for which the Zoning Amendment is proposed.
  - 2. Area location map.
  - 3. Site plan - if plan is larger than 11" x 17", eighteen (18) copies must be submitted.

A check for \$150.00, payable to the City of Sylvania, is attached for processing of said Petition. It is understood that no refund is to be made after the filing of the Petition.

By:   
David M. Garner, Ph.D.

Date referred by Council: 6/17/13

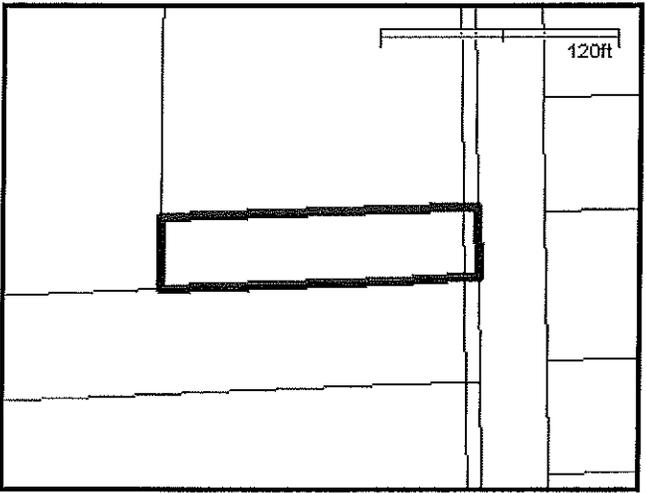
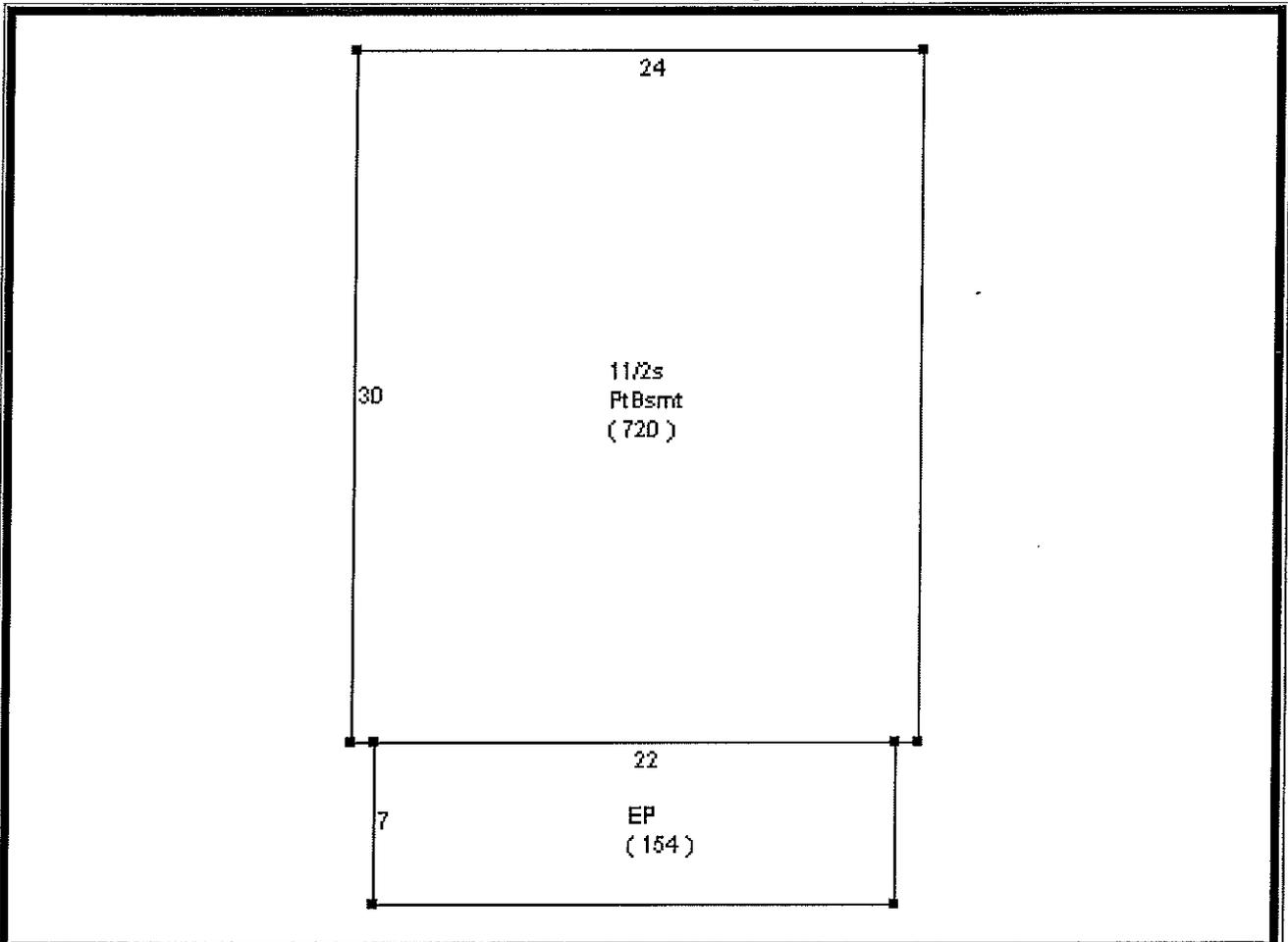
Date of Commission Action: \_\_\_\_\_

Date of Council Action: \_\_\_\_\_

Action: \_\_\_\_\_



### AREIS Online Report



Parcel : 82-03441  
Assessor : 45-025-007  
Owner : EDIFACE REX, LLC  
Property Address :  
5457 S MAIN ST  
SYLVANIA , OH 43560

Taxing District : SYLVANIA  
CITY-SYLVANIA CSD  
Class/Landuse : R / 11  
Values (100%) :  
Land - 19,300  
Bldg - 57,600  
Total - 76,900

Frontage : 40  
Depth : 0  
Acres : 0.140  
TLA : 1296  
Year Blt. : 1902  
Wall Type : METLVNYL



20031020-0079322

Pages: 1 Fee: \$28.00  
10/20/2003 11:34:41 AM  
T20030047753

Sue Rioux  
Lucas County Recorder DEED

**GENERAL WARRANTY DEED**  
(Statutory Form)

OCT 20 2003

TRANSFERRED BY KML 501  
IN COMPLIANCE WITH SEC. 319.202 R.C.  
LARRY A. KACZALA, AUDITOR  
LUCAS COUNTY, OHIO  
FEE \$ 390.00 EXEMPT  
PARCEL 82-03441

After Recording, mail to: Grantee

VICKI L. EDINGER, unmarried, of Lucas County, Ohio for valuable consideration paid, grants with general warranty covenants to EDIFACE REX, LLC, an Ohio limited liability company, whose tax mailing address is 5465 Main Street, Sylvania, Ohio 43560, the following described real property:

The South 40 feet of the following described property:

That part of the Northwest ¼ of Section 10, Town 9 South, Range 6 East in Sylvania <sup>City</sup> Village, Lucas County, Ohio, described as follows:

Commencing at a point in the center line of Main Street (formerly known as the Sylvania and Maumee Road in said Village of Sylvania) 557 feet North of the intersection of the said center line of Main Street and the East and West center line of said Section 10, this point is marked by a monument; thence Westerly at right angles with said center line of Main Street, 150 feet; thence Northerly at right angles to said center line to center of Ten Mile Creek; thence Easterly along the center line of Ten Mile Creek to the center of Ohio Avenue; thence Southerly along the center line of Main Street to the place of beginning.  
Subject to legal highways.

Parcel No. 82-03441

Subject to: zoning ordinances, easements and restrictions of record, and taxes and assessments due and payable after delivery of this deed.

Prior instrument reference: Deed No. 95-418B04

Witness my hand this 17th day of October, 2003.

Vicki L. Edinger  
VICKI L. EDINGER

STATE OF OHIO, LUCAS COUNTY, ss:

The foregoing instrument was acknowledged before me this 17th day of October, 2003, by VICKI L. EDINGER, unmarried, who acknowledged the signing thereof to be her voluntary act and deed for the purpose therein mentioned.

Greg Lyons  
Notary Public



GREG LYONS  
Notary Public, State of Ohio  
My Commission Expires 6-8-08

This Instrument Prepared By:  
Stephen M. Sadowski, Esq.  
Spinazze & Sadowski, Ltd.  
1438 Arrowhead Drive  
Maumee, Ohio 43537



June 14, 2013

To: Mayor and Members of City Council

Re: **Council Referral – ZA-1-2013**

Dear Mayor and Members of Council:

Following is an excerpt from the minutes of the regular meeting of the Municipal Planning Commission of June 12, 2013, Council Referral ZA-1-2013 requested by Renee Mason to change the zoning from R-3 to B-2 for property located at 5441 Main Street:

..." Mr. Marciniak moved, Mayor Stough seconded to recommend approval that the zoning of the property located at 5441 Main St. to be changed from R-3 Multiple Dwelling Medium Density District to B-2 General Business District. Vote being: Marciniak, Stough, Backus, Lindsley (4) aye; (0) nay. Motion passed by a 4 to 0 vote."...

Sincerely,

Debra Webb, Secretary  
Municipal Planning Commission



# City Of Sylvania

DEPARTMENT OF PUBLIC SERVICE

ROBERT H. OBERLY, ZONING ADMINISTRATOR

June 12, 2013

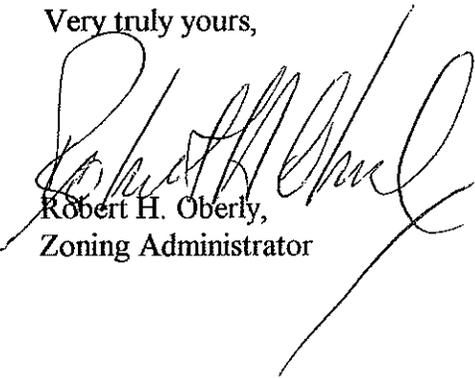
To: Chairman and Members of Sylvania Municipal Planning Commission

Re: **council referral-ZA-1-2013**

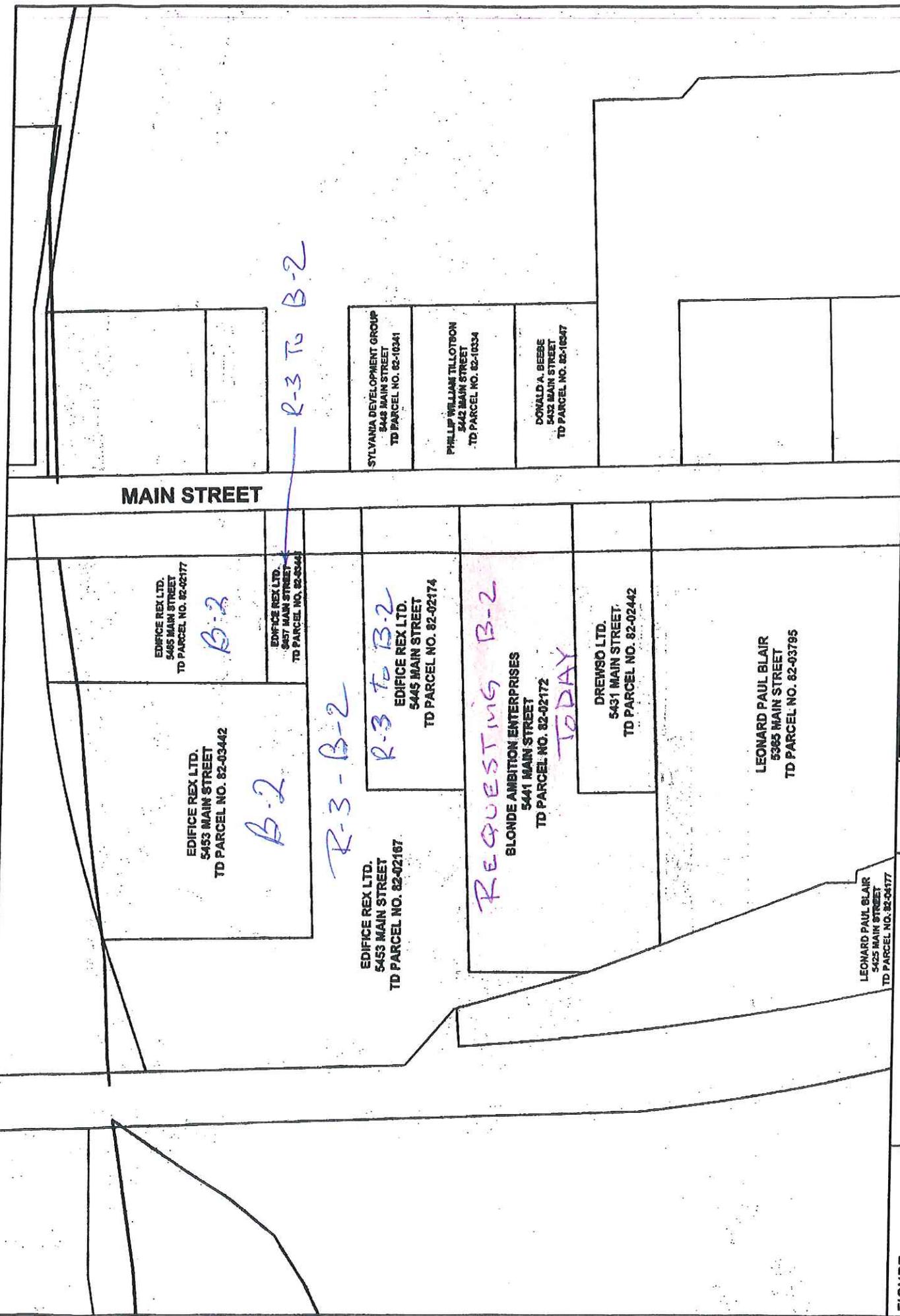
Dear Mr. Chairman and Members.

We have reviewed the request for rezoning parcel no. 82-02172 from R-3 to B-2. We had a concern about spot zoning of one parcel in the middle of three parcels zoned R-3. We requested the other properties be changed to insure we are consistent. We have received from David Garner his request to change zoning on parcels no. 82.03441, parcel no. 82-02167 and parcel no. 82-02174 also be changed from R-3 to B-2. These requests will be on the June 17, 2013 Council agenda for referral to this commission.

Very truly yours,



Robert H. Oberly,  
Zoning Administrator



EDIFICE REX LTD.  
5465 MAIN STREET  
TD PARCEL NO. 82-02177

EDIFICE REX LTD.  
5457 MAIN STREET  
TD PARCEL NO. 82-03442

EDIFICE REX LTD.  
5453 MAIN STREET  
TD PARCEL NO. 82-03442

EDIFICE REX LTD.  
5453 MAIN STREET  
TD PARCEL NO. 82-02167

EDIFICE REX LTD.  
5445 MAIN STREET  
TD PARCEL NO. 82-02174

BLONDE AMBITION ENTERPRISES  
5441 MAIN STREET  
TD PARCEL NO. 82-02172

DREWSO LTD.  
5431 MAIN STREET  
TD PARCEL NO. 82-02442

LEONARD PAUL BLAIR  
5365 MAIN STREET  
TD PARCEL NO. 82-03785

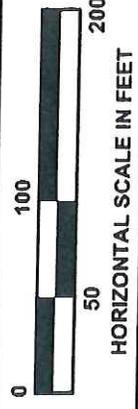
LEONARD PAUL BLAIR  
5425 MAIN STREET  
TD PARCEL NO. 82-04177

SYLVANIA DEVELOPMENT GROUP  
5443 MAIN STREET  
TD PARCEL NO. 82-10341

PHILIP WILLIAM TILLOTSON  
5442 MAIN STREET  
TD PARCEL NO. 82-10334

DONALD A. BEEBE  
5432 MAIN STREET  
TD PARCEL NO. 82-10347

FIGURE:	1
DRAWN BY:	JES
DATE:	6/10/2013



DEPARTMENT OF PUBLIC SERVICE  
LUCAS COUNTY AUDITOR  
AREIS PARCEL MAP  
5441 S. MAIN STREET (PROPOSED FITNESS SHACK)

**ORDINANCE NO. 50 -2013****ACCEPTING THE PROPOSAL OF R/P MARKETING PUBLIC RELATIONS TO UPGRADE THE CITY'S WEBSITE TO BE COMPATIBLE WITH MOBILE DEVICES; APPROPRIATING FUNDS THEREFORE IN THE AMOUNT OF \$75,000; AND DECLARING AN EMERGENCY.**

WHEREAS, Ordinance No. 21-2007, passed by Sylvania City Council on March 19, 2007, accepted the proposal of Hart Associates to perform a needs analysis and site map for the City's website and redesign of the Country Journal and at a cost of \$68,200; and,

WHEREAS, Ordinance No. 67-2009, passed by Sylvania City Council on July 20, 2009, accepted the proposal of Hart Associates to maintain the City's website for a period of twelve months at a cost to the City of \$8,800; and,

WHEREAS, at the August 20, 2012 meeting of Sylvania City Council, the Chairman of the Employee and Community Relations Committee reported that the Employee and Community Relations Committee met to consider updates to the City's website to make it compatible with mobile devices and requested the IT Manager to prepare a Request for Proposal for said upgrades; and,

WHEREAS, at the November 19, 2012 meeting of Sylvania City Council, the IT Manager was authorized to request proposals for the City's website upgrades; and,

WHEREAS, at the February 19, 2013 meeting of Sylvania City Council, the Chairman of the Employee and Community Relations Committee reported that the committee was continuing to research the website upgrades; and,

WHEREAS, at the May 16, 2013 meeting of Sylvania City Council, the Chairman reported that the Employee and Community Relations Committee met on April 25, 2013 and two vendors made presentations on the proposed upgrades and the committee is continuing its review

of both proposals; and,

WHEREAS, at the June 3, 2013 meeting of Sylvania City Council, the Chairman of the Employee and Community Relations Committee reported that the Committee met on May 24, 2013 to further consider and review the proposals for the City's website upgrades submitted at its April 25, 2013 meeting and thereafter recommended that the proposal of R/P Marketing Public Relations be approved and thereafter legislation was authorized approving said proposal; and,

WHEREAS, R/P Marketing Public Relation's proposal to upgrade the City's website includes research review and planning, website development documentation, website tactical build, and planning and reporting at a cost not to exceed \$75,000, plus a 10% contingency if there are over 200 pages, with the cost not to exceed \$30,000 for the year 2013 and not to exceed \$45,000 for the year 2014; and,

WHEREAS, the IT Manager has also recommended acceptance of the proposal of R/P Marketing Public Relations for the City's website upgrade.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Sylvania, Lucas County, Ohio, \_\_\_\_\_ members elected thereto concurring:

SECTION 1. That the proposal of R/P Marketing Public Relations in the amount of Seventy-Five Thousand Dollars (\$75,000.00), for website upgrades, is hereby accepted.

SECTION 2. That the IT Manager shall promptly give notice to R/P Marketing Public Relations to proceed under the proposal hereby approved and accepted.

SECTION 3. That to provide funds for said services hereby authorized, there is hereby appropriated from the **SPECIAL PROJECTS FUND** from funds therein not heretofore appropriated to **Account No. 110-7320-51294 – Special Projects** the total sum of Seventy-Five Thousand Dollars (\$75,000.00).

SECTION 4. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 5. That the Clerk of Council is hereby directed to post a copy of this Ordinance in the Office of the Clerk of Council in the Municipal Building pursuant to ARTICLE III, Section 12, of the Charter of this City.

SECTION 6. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, property and welfare and for the further reason that the website upgrades should be provided for immediately. Provided this Ordinance receives the affirmative vote of five (5) or more members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force thirty (30) days after it is approved by the Mayor or as otherwise provided by the Charter.

Vote dispensing with the second and third readings:           Yeas \_\_\_\_\_ Nays \_\_\_\_\_

Passed, \_\_\_\_\_, 2013, as an emergency measure.

\_\_\_\_\_  
President of Council

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Clerk of Council

\_\_\_\_\_  
Director of Law

APPROVED:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

10a1.

**ORDINANCE NO. 22 -2013**

**AMENDING COMMUNITY REINVESTMENT AREA NO. 3,  
DESIGNATING A HOUSING OFFICER, ESTABLISHING A  
COMMUNITY REINVESTMENT AREA HOUSING COUNCIL;  
REPEALING RESOLUTION NO. 26-96; AND DECLARING AN  
EMERGENCY.**

WHEREAS, Resolution No. 41-92, passed November 2, 1992, established and described the boundaries of a Community Reinvestment Area to be known as Community Reinvestment Area Number 3; and,

WHEREAS, Resolution No. 25-96, passed July 1, 1996, directed the Housing Officer of Community Reinvestment Area Number 3 not to accept any new applications for exemptions for this Community Reinvestment Area; and,

WHEREAS, the Economic Development Subcommittee met on May 24, 2012, June 11, 2012, and July 10, 2012 to review the City's Community Reinvestment Areas; and,

WHEREAS, the Committee of the Whole met on March 4, 2013, April 15, 2013 and June 3, 2013 to review the City's Community Reinvestment Areas; and,

WHEREAS, subsequent to these meetings, the Economic Development Subcommittee recommended that the boundaries of Community Reinvestment Area No. 3 be amended to include residential properties in Clark's Subdivision as shown on the attached "Exhibit A" which include housing facilities or structures of historical significance are located and new housing construction is discouraged; and,

WHEREAS, including the additional properties within the boundaries of Community Reinvestment Area will serve to encourage economic stability, maintain real property values, promote the public health, safety and general welfare, and generate new employment opportunities; and,

WHEREAS, a survey of the housing within the City of Sylvania has been performed; and,

WHEREAS, the Council of the City of Sylvania has deemed it necessary to amend the boundaries of the Community Reinvestment Area to include such areas as permitted in Sections 3735.65 to 3735.70 of the Ohio Revised Code.

NOW, THEREFORE BE IT ORDAINED by the Council of the City of Sylvania, Lucas County, Ohio, \_\_\_\_\_ members elected thereto concurring:

SECTION 1. That Community Reinvestment Area No. 3 is hereby amended as described in detail on the attached "Exhibit A" which is incorporated herein by reference.

SECTION 2. That Resolution No. 25-96 is hereby repealed and the owner of any real property located in said Community Reinvestment Area Number 3 may file an application with the Housing Officer for an exemption from real property taxation for a new structure or remodeling completed after the effective date of this ordinance.

SECTION 3. That said Community Reinvestment Area No. 3 is one in which housing facilities or structures of historical significance are located and new housing and repair of existing facilities or structures are discouraged.

SECTION 4. That within the above-described Community Reinvestment Area tax exemptions for improvements to real property as described in Ohio Revised Code Section 3735.67 will be granted. For the construction of every dwelling, or commercial or industrial structure located in said area as provided in Ohio Revised Code Section 3735.67(C), an exemption will be granted for up to fifteen years.

SECTION 5. That Council hereby designated the Mayor as Housing Officer for the City of Sylvania.

SECTION 6. That there is hereby established a Community Reinvestment Area Housing Council for Community Reinvestment Area No. 3. The Mayor is to appoint two (2) members, the Council is to appoint two (2) members, and the Planning Commission is to appoint one (1) member. The majority of the foregoing members are to appoint two (2) additional members who shall be residents within the Area. The terms shall be for three years. An unexpired term resulting from a vacancy in the Council shall be filled in the same manner as the initial appointment was made.

SECTION 7. The tax exemption shall first apply in the year following the calendar year in which the certification is made to the Lucas County Auditor by the Housing Officer pursuant to Section 5 above. If the remodeling qualifies for an exemption under Section 8 below, the dollar amount by which the remodeling increased the market value of the structure shall be exempt from real property taxation. If the construction qualifies for an exemption under Section 8 below, the structure shall not be considered an improvement of the land on which it is located for the purpose of real property taxation.

SECTION 8. That the construction of new structures and the remodeling of existing structures within said Reinvestment Area are hereby declared to be a public purpose for which

exemptions from real property taxation are granted for the following periods:

- A. For remodeling or construction of new dwellings containing not more than two family units and upon which cost of remodeling is Three Thousand Dollars (\$3,000.00) or more, a period of not more than fifteen (15) years and the abatement may be 100% of the increase in property tax valuation as a result of the remodeling or construction.
- B. For remodeling or construction of new dwellings containing more than two family units and upon which cost of remodeling is Ten Thousand Dollars (\$10,000.00) or more, a period of not more than fifteen (15) years and the abatement may be 100% of the increase in property tax valuation as a result of the remodeling or construction.
- C. For remodeling or construction of new commercial structures, a period of not more than ten (10) years and the abatement may be 100% of the increase in property tax valuation as a result of the remodeling or construction.
- D. For remodeling or construction of new mixed use structures, a period of not more than fifteen (15) years and the abatement may be 100% of the increase in property tax valuation as a result of the remodeling or construction.

Any project currently under construction in Community Reinvestment Area No. 3 at the time of the passage of this ordinance may receive exemption based on the terms as amended above.

SECTION 9. That the Clerk is hereby directed to publish this ordinance in a newspaper of general circulation in the municipal corporation once a week for two consecutive weeks immediately following its adoption.

SECTION 10. That the Clerk is hereby directed to forward a copy of this Ordinance to the Lucas County Auditor and the Ohio Department of Development for information purposes.

SECTION 11. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 12. That the Clerk of Council is hereby directed to post a copy of this Ordinance in the Office of the Clerk of Council in the Municipal Building pursuant to ARTICLE III, Sections 11(c) and 12, of the Charter of this City.

SECTION 13. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, property and welfare and for the further reason that the amendments to the boundaries of Community Reinvestment Area will serve to encourage economic stability, maintain real property values, promote the public health, safety and general welfare, and generate new employment opportunities and therefore should be effective immediately. Provided this Ordinance receives the affirmative vote of five (5) or more members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force thirty

(30) days after it is approved by the Mayor or as otherwise provided by the Charter.

Vote dispensing with the second and third readings:        Yeas \_\_\_\_\_ Nays \_\_\_\_\_

Passed, \_\_\_\_\_, 2013, as an emergency issue.

\_\_\_\_\_  
President of Council

ATTEST:

\_\_\_\_\_  
Clerk of Council

APPROVED:

APPROVED AS TO FORM:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Director of Law

\_\_\_\_\_  
Date

EXHIBIT "A"  
Description of the Boundaries of Community Reinvestment Area #3

Situated in the State of Ohio, County of Lucas, City of Sylvania, Southwest  $\frac{1}{4}$  of Section 10, Town 9 South, Range 6 East, and being a parcel of land as shown in Exhibit "B" and being more particularly bounded and described as follows:

Beginning at the intersection of the northeasterly railroad right-of-way line of a parcel of land owned by the *Pennsylvania Lines LLC*, also being Lucas County Auditor's Tax Parcel 82-99015, with the southerly property line of a parcel of land owned by *Nour of Ohio, LLC* as recorded in Instrument Number 20060825-0057162, Lucas County Recorder's Office, also being Lucas County Auditor's Tax Parcel 82-04121;

Thence in a northwesterly direction on the said northeasterly railroad right-of-way line to the northerly property line of a parcel of land owned by *Midland Agency of Northwest Ohio, Trustee*, as recorded in Instrument Number 20040630-0053539, Lucas County Recorder's Office, also being Lucas County Auditor's Tax Parcel 82-04164;

Thence in a northeasterly direction on the said northerly property line to the centerline of right-of-way of South Main Street;

Thence in a northwesterly direction on the said centerline of right-of-way of South Main Street to the extended intersection of the northerly line of Lot 1 of Rothfuss Subdivision as recorded in Plat Book Volume 21, Page 59, Lucas County Recorder's Office, also being the northerly property line of a parcel of land owned by *Midland Agency of Northwest Ohio, Trustee*, as recorded in Microfiche 02 0434A07, Lucas County Recorder's Office, also being Lucas County Auditor's Tax Parcel 82-09457;

Thence in a northeasterly direction on the said northerly line of Lot 1 to the northeast corner of said Lot 1 and the east line of said Rothfuss Subdivision;

Thence in a southeasterly direction on the said east line of Rothfuss Subdivision to the southeast corner of Lot 9 of said Rothfuss Subdivision, also being the northerly right-of-way line of Ravine Drive;

Thence southerly to the centerline of right-of-way of Ravine Drive;

Thence in an easterly direction on the said centerline of right-of-way of Ravine Drive to the westerly property line of a parcel of land owned by *Leonard Paul Blair, Bishop of the Roman Catholic Diocese of Toledo in America*, as recorded in Instrument Number 20040420-0030249, Lucas County Recorder's Office, also being Lucas County Auditor's Tax Parcel 82-04041;

Thence in a southerly direction on the said westerly property line to the southerly property line of the said parcel;

Thence in an easterly direction on the said southerly property line to the east line of the Northwest  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  of Section 10;

Thence in a southerly direction on the said east line of the Northwest  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  of Section 10, and continuing on the east line of the Southwest  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  of Section 10 to the centerline of right-of-way of South Main Street;

Thence in a southeasterly direction on the said centerline of right-of-way of South Main Street to the extended intersection of the southerly line of Main Street Village as recorded in Plat Book Volume 129, Page 3, Lucas County Recorder's Office, also being Lucas County Auditor's Tax Parcel 82-25214;

Thence in a northeasterly direction on the said southerly line of Main Street Village to the easterly line of Main Street Village;

Thence in a northwesterly and northeasterly direction on the said easterly line of Main Street Village to the south line of the Amended Plat of Oakland Estates as recorded in Plat Book Volume 58, Page 46, Lucas County Recorder's Office;

Thence in an easterly direction on the said south line of the Amended Plat of Oakland Estates to the centerline of right-of-way of Harroun Road;

Thence in a southerly direction on the said centerline of right-of-way of Harroun Road to the centerline of right-of-way of Brint Road, also being the south line of the Southwest  $\frac{1}{4}$  of Section 10;

Thence in a westerly direction on the said centerline of right-of-way of Brint Road and the south line of the Southwest  $\frac{1}{4}$  of Section 10 to the extended intersection of the westerly line of Lot 24 of Clark's Subdivision as recorded in Plat Book Volume 3, Page 43, Lucas County Recorder's Office, also being the westerly property line of a parcel of land owned by *Richard C. Guyton*, as recorded in Microfiche 86 542B10, Lucas County Recorder's Office, also being Lucas County Auditor's Tax Parcel 82-06762;

Thence in a northerly direction on the said westerly line of Lot 24, and continuing on the westerly line of Lot 18 of Sommers Place as recorded in Plat Book Volume 41, Page 85, Lucas County Recorder's Office, to the southeasterly right-of-way line of High Street, said westerly line of Lot 18 also being the westerly property line of a parcel of land owned by *Dianne Paul and Gregory Paul*, as recorded in Instrument Number 20091026-0049440, Lucas County Recorder's Office, said parcel also being Lucas County Auditor's Tax Parcel 82-09567;

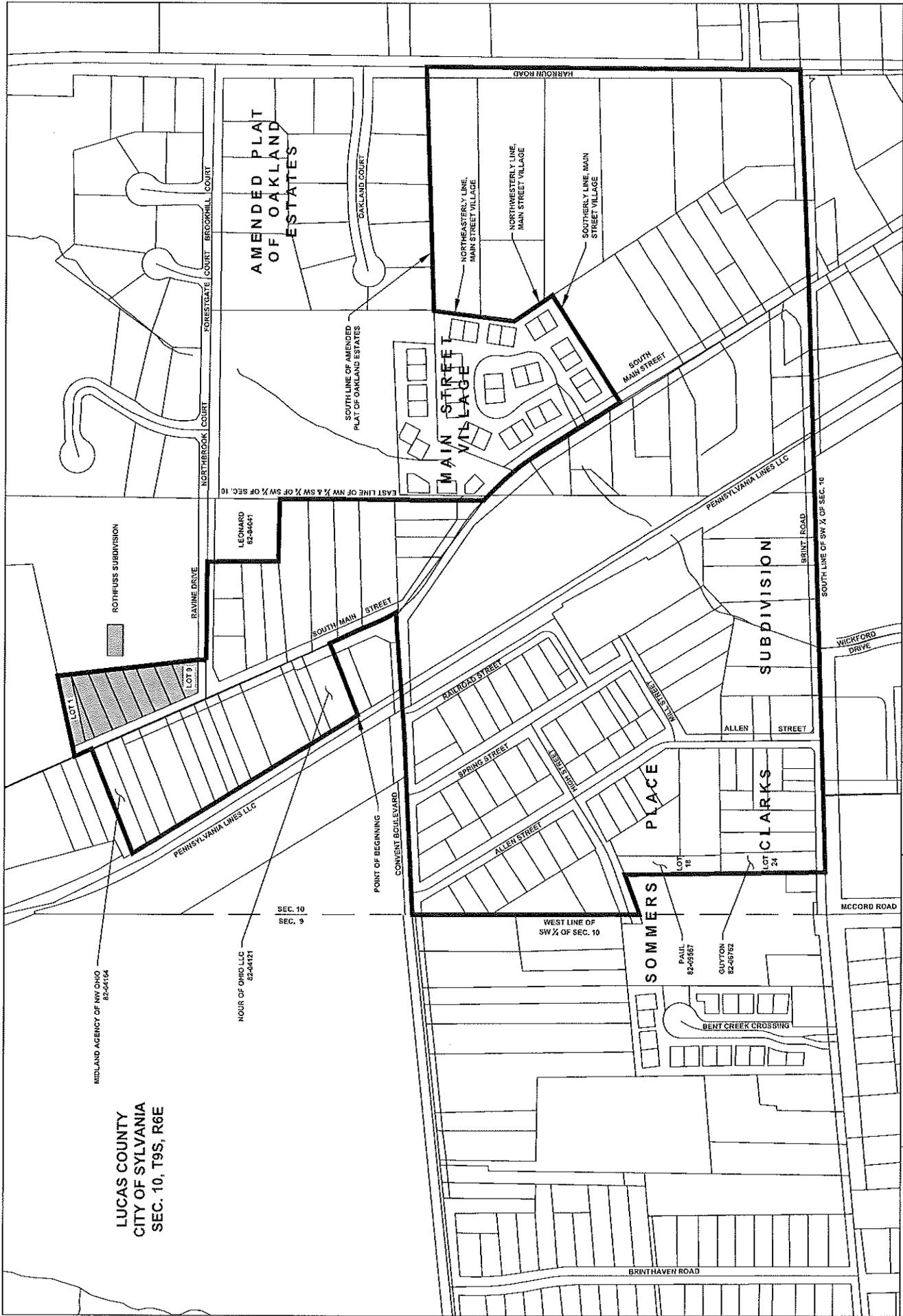
Thence southwestery on the said southeasterly right-of-way of High Street to the westerly line of the Southwest  $\frac{1}{4}$  of Section 10;

Thence northerly on the said westerly line of the Southwest  $\frac{1}{4}$  of Section 10 to the centerline of right-of-way of Convent Boulevard;

Thence easterly on the said centerline of right-of-way of Convent Boulevard to the centerline of right-of-way of South Main Street;

Thence northwesterly on the said centerline of right-of-way of South Main Street to the said southerly property line of a parcel of land being owned by *Nour of Ohio, LLC* as recorded in Instrument Number 20060825-0057162, Lucas County Recorder's Office, also being Lucas County Auditor's Tax Parcel 82-04121;

Thence southwesterly on the said southerly property line to the point of beginning.



LUCAS COUNTY  
CITY OF SYLVANIA  
SEC. 10, T9S, R6E

MIDLAND AGENCY OF NW OHIO  
82-44154

NOUR OF OHIO LLC  
82-44121

SEC. 10  
SEC. 9

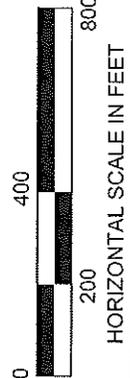
EAST LINE OF NW 1/4 & SW 1/4 OF SEC. 10

POINT OF BEGINNING  
CONVENT BOULEVARD

WEST LINE OF  
SW 1/4 OF SEC. 10

SOUTH LINE OF SW 1/4 OF SEC. 10

EXHIBIT: B  
DRAWN BY: JES  
DATE: 05/29/2013



DEPARTMENT OF PUBLIC SERVICE

LOCATION MAP  
COMMUNITY REINVESTMENT AREA #3

1092

**ORDINANCE NO. 23 -2013**

**AMENDING COMMUNITY REINVESTMENT AREA NO. 8,  
DESIGNATING A HOUSING OFFICER, ESTABLISHING A  
COMMUNITY REINVESTMENT AREA HOUSING COUNCIL; AND  
DECLARING AN EMERGENCY.**

WHEREAS, Resolution No. 20-94, passed June 20, 1994, established and described the boundaries of a Community Reinvestment Area (“CRA”) to be known as Community Reinvestment Area Number 8; and,

WHEREAS, the Economic Development Subcommittee met on May 24, 2012, June 11, 2012, and July 10, 2012 to review the City’s Community Reinvestment Areas; and,

WHEREAS, the Committee of the Whole met on March 4, 2013, April 15, 2013 and June 3, 2013 to review the City’s Community Reinvestment Areas; and,

WHEREAS, subsequent to these meetings, the Economic Development Subcommittee recommended that the boundaries of Community Reinvestment Area No. 8 be amended to include the west side of North Main Street from River Centre Clinic to St. Joseph Catholic Church and from the parking lot across from St. Joseph Catholic Church to 5470 Main Street as shown on the attached “Exhibit A” which include housing facilities or structures of historical significance are located and new housing construction is discouraged; and,

WHEREAS, upon further review of Community Reinvestment Area Number 8’s boundaries and the other CRAs in the City, it was recommended that the boundaries of CRA Numbers 8 and 2 be merged as well as the additional territory added to the CRA; and,

WHEREAS, including the additional properties within the boundaries of Community Reinvestment Area will serve to encourage economic stability, maintain real property values, promote the public health, safety and general welfare, and generate new employment opportunities; and,

WHEREAS, a survey of the housing within the City of Sylvania has been performed; and,

WHEREAS, the Council of the City of Sylvania has deemed it necessary to amend the boundaries of the Community Reinvestment Area to include such areas as permitted in Sections 3735.65 to 3735.70 of the Ohio Revised Code.

NOW, THEREFORE BE IT ORDAINED by the Council of the City of Sylvania, Lucas County, Ohio, \_\_\_\_\_ members elected thereto concurring:

SECTION 1. That Community Reinvestment Area No. 8 is hereby amended as described in detail on the attached "Exhibit A" which is incorporated herein by reference.

SECTION 2. That said Community Reinvestment Area No. 8 is one in which housing facilities or structures of historical significance are located and new housing and repair of existing facilities or structures are discouraged.

SECTION 3. That within the above-described Community Reinvestment Area tax exemptions for improvements to real property as described in Ohio Revised Code Section 3735.67 will be granted. For the construction of every dwelling, or commercial or industrial structure located in said area as provided in Ohio Revised Code Section 3735.67(C), an exemption will be granted for the terms as set forth below. Additionally, any qualifying project under construction in the Community Reinvestment Area as of the date of passage of this Ordinance shall be subject to the exemption terms contained herein.

SECTION 4. That Council hereby designated the Mayor as Housing Officer for the City of Sylvania.

SECTION 5. That the Housing Officer or his designee shall verify the construction of the new structure or the cost of remodeling and the facts asserted in the application. The Housing Officer shall determine whether the construction or the cost of remodeling meet the requirements for an exemption under Section 8 below.

SECTION 6. That there is hereby established a Community Reinvestment Area Housing Council for Community Reinvestment Area No. 8. The Mayor is to appoint two (2) members, the Council is to appoint two (2) members, and the Planning Commission is to appoint one (1) member. The majority of the foregoing members are to appoint two (2) additional members who shall be residents within the Area. The terms shall be for three years. An unexpired term resulting from a vacancy in the Council shall be filled in the same manner as the initial appointment was made.

SECTION 7. The tax exemption shall first apply in the year following the calendar year in which the certification is made to the Lucas County Auditor by the Housing Officer pursuant to Section 5 above. If the remodeling qualifies for an exemption under Section 8 below, the dollar amount by which the remodeling increased the market value of the structure shall be exempt from real property taxation. If the construction qualifies for an exemption under Section 8 below, the structure shall not be considered an improvement of the land on which it is located for the purpose of real property taxation.

SECTION 8. That the construction of new structures and the remodeling of existing structures within said Reinvestment Area are hereby declared to be a public purpose for which exemptions from real property taxation are granted for the following periods:

- A. For remodeling or construction of new dwellings containing not more than two family units and upon which cost of remodeling is Three Thousand Dollars (\$3,000.00) or more, a period of not more than fifteen (15) years and the abatement will be 100% of the increase in property tax valuation as a result of the remodeling or construction.
- B. For remodeling or construction of new dwellings containing more than two family units and upon which cost of remodeling is Ten Thousand Dollars (\$10,000.00) or more, a period of not more than fifteen (15) years and the abatement shall be 100% of the increase in property tax valuation as a result of the remodeling or construction.
- C. For remodeling or construction of new commercial structures, a period of not more than ten (10) years and the abatement shall be 100% of the increase in property tax valuation as a result of the remodeling or construction.
- D. For remodeling or construction of new mixed use structures, a period of not more than fifteen (15) years and the abatement shall be 100% of the increase in property tax valuation as a result of the remodeling or construction.

Any project currently under construction in Community Reinvestment Area No. 8, including the Maplewood Marketplace improvements and the Irv's Auto Parts improvements at the time of the passage of this ordinance may receive exemption based on the terms as amended above.

SECTION 9. That the Clerk is hereby directed to publish this ordinance in a newspaper of general circulation in the municipal corporation once a week for two consecutive weeks immediately following its adoption.

SECTION 10. That the Clerk is hereby directed to forward a copy of this Ordinance to the Lucas County Auditor and the Ohio Department of Development for information purposes.

SECTION 11. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 12. That the Clerk of Council is hereby directed to post a copy of this Ordinance in the Office of the Clerk of Council in the Municipal Building pursuant to ARTICLE III, Sections 11(c) and 12, of the Charter of this City.

SECTION 13. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, property and welfare and for the further reason that the amendments to the Community Reinvestment Area will serve to encourage economic stability, maintain real property values, promote the public health, safety and general welfare, and generate new employment opportunities and therefore should be

effective immediately. Provided this Ordinance receives the affirmative vote of five (5) or more members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force thirty (30) days after it is approved by the Mayor or as otherwise provided by the Charter.

Vote dispensing with the second and third readings:           Yeas \_\_\_\_\_ Nays \_\_\_\_\_

Passed, \_\_\_\_\_, 2013, as an emergency issue.

\_\_\_\_\_  
President of Council

ATTEST:

\_\_\_\_\_  
Clerk of Council

APPROVED:

APPROVED AS TO FORM:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Director of Law

\_\_\_\_\_  
Date

EXHIBIT "A"

Description of the Boundaries of Community Reinvestment Area #8

Situated in the State of Ohio, County of Lucas, City of Sylvania, Southwest  $\frac{1}{4}$  of Section 3, Southeast  $\frac{1}{4}$  of Section 4, Northeast  $\frac{1}{4}$  of Section 9 and Northwest  $\frac{1}{4}$  of Section 10, Town 9 South, Range 6 East, and being a parcel of land as shown in Exhibit "B" and being more particularly bounded and described as follows:

Beginning at the intersection of the centerline of Ten Mile Creek with the centerline of right-of-way of Silica Drive;

Thence in a northerly direction on the said centerline of right-of-way of Silica Drive to the centerline of right-of-way of Monroe Street;

Thence in a northwesterly direction on the said centerline of right-of-way of Monroe Street to the centerline of right-of-way of Parkwood Boulevard;

Thence in a northeasterly and northwesterly direction on the said centerline of right-of-way of Parkwood Boulevard to the centerline of right-of-way of Maplewood Avenue;

Thence in a northwesterly direction on the said centerline of right-of-way of Maplewood Avenue to the centerline of right-of-way of Erie Street;

Thence in an easterly direction on the said centerline of right-of-way of Erie Street to east line of the west  $\frac{1}{2}$  of the southeast  $\frac{1}{4}$  of Section 4, also being the extended intersection of the west line of Sylvania Parkside Addition as recorded in Plat Book Volume 42, Page 34, Lucas County Recorder's Office;

Thence in a northerly direction on the said east line of the west  $\frac{1}{2}$  of the southeast  $\frac{1}{4}$  of Section 4 and the west line of Sylvania Parkside Addition, Lot 1 and Lots 32 through 48 inclusive, to the northwest corner of Lot 32, also being the north line of said Sylvania Parkside Addition;

Thence in an easterly direction on the said north line of Sylvania Parkside Addition, Lots 31 through 32, to the northeast corner of Lot 31, also being the east line of said Sylvania Parkside Addition;

Thence in a southerly direction on the said east line of Sylvania Parkside Addition, Lots 23 through 31 inclusive, to an iron pipe in the north line of Lot 19, also being the north line of said Sylvania Parkside Addition;

Thence in an easterly direction on the said north line of Sylvania Parkside Addition, Lots 17 through 19 inclusive, to the northwest corner of Lot 11 of Central Park Addition as recorded in Plat Book Volume 41, Page 51, Lucas County Recorder's Office, also being the north line of said Central Park Addition;

Thence in an easterly direction on the said north line of Central Park Addition, Lots 10 through 11, to the northwest corner of Lot 14 of Printup's Subdivision as recorded in Plat Book Volume 18, Page 50, Lucas County Recorder's Office, also being the north line of said Printup's Subdivision;

Thence in an easterly direction on the said north line of Printup's Subdivision, Lots 14 through 15, to the centerline of right-of-way of a parcel of land owned by the *Pennsylvania Lines LLC*, also being Lucas County Auditor's Tax Parcel 82-99011;

Thence in a northwesterly direction on the said centerline of right-of-way line to the extended intersection of the northerly property line of a parcel of land owned by *Kal-B Investments, an Ohio General Partnership*, as recorded in Instrument Number 20030609-0023508, Lucas County Recorder's Office, also being Lucas County Auditor's Tax Parcel 82-01067;

Thence in an easterly direction on the said northerly property line to the centerline of right-of-way of Main Street, also being the northwest corner of a parcel of land owned by *Christine L. Davies, Trustee*, as recorded in Instrument Number 20120615-0027973, Lucas County Recorder's Office, also being Lucas County Auditor's Tax Parcel 82-00587, also being the north line of said parcel;

Thence in an easterly direction on the said north line of said parcel to the southwest corner of Lot 18 of Colonial Park as recorded in Plat Book Volume 62, Page 46, Lucas County Recorder's Office, also being the south line of Colonial Park;

Thence in an easterly direction on the said south line of Colonial Park, Lots 18, 19 and 30, to a point with a line drawn 600' easterly of, and parallel to, the centerline of right-of-way of Summit Street;

Thence in a southerly direction on the said line drawn 600' easterly of, and parallel to, the centerline of right-of-way of Summit Street to the north line of a parcel of land owned by *Ransom Family Corporation*, as recorded in Microfiche 93 0526E03, Lucas County Recorder's Office, also being Lucas County Auditor's Tax Parcel 82-11141;

Thence in a westerly direction on the said north line of said parcel to the northwest corner of said parcel, also being the northeast corner of a parcel of land owned by *Ransom Family Corporation*, as recorded in Microfiche 93 0526E03, Lucas County Recorder's Office, also being Lucas County Auditor's Tax Parcel 82-11177;

Thence in a westerly direction on the said north line of said parcel to the northwest corner of said parcel;

Thence in a southerly direction on a line drawn parallel with the said west line of a parcel of land as described in Volume 1362, Page 229, Lucas County Recorder's Office to the intersection of a line drawn 383.62' northerly of and parallel with the said centerline of right-of-way of Monroe Street;

Thence in a westerly direction on said line drawn 383.62' northerly of and parallel with the centerline of right-of-way of Monroe Street to the centerline of the North Branch of Ten Mile Creek;

Thence in a southeasterly direction on the said centerline of North Branch of Ten Mile Creek to the intersection of a line drawn at right angles to the east right-of-way line of said Summit Street;

Thence in an easterly direction on said line drawn at right angles to the east right-of-way line of Summit Street, a distance of 57.67' to the intersection of a line drawn at right angles to the said centerline of right-of-way Monroe Street;

Thence in a southerly direction on said line drawn at right angles to the centerline of right-of-way of Monroe Street, a distance of 71.53' to a point;

Thence in an easterly direction on a line making an angle of 87°07'18" (measured from north to east) with the last described line, a distance of 140' to the intersection of a line drawn at right angles to the said centerline of right-of-way of Monroe Street;

Thence in a southerly direction on said line drawn at right angles to the centerline of right-of-way line of Monroe Street to a point on the northerly right-of-way line of Monroe Street that is 428.33' from the east right-of-way line of Summit Street;

Thence in a southerly direction on said line drawn at right angles to the centerline of right-of-way of Monroe Street to the southerly right-of-way line of Monroe Street;

Thence in a westerly direction on said southerly right-of-way line of Monroe Street to a point that is 178' easterly of the centerline of right-of-way of Summit Street extended;

Thence in a southerly direction on a line drawn parallel with the said centerline of right-of-way of Summit Street extended to the southerly line of the former right-of-way of the Toledo and Western Railway Company;

Thence in a southwesterly direction on the said southerly right-of-way line to a point 454' northeasterly of and measured on the southerly right-of-way line from the east line of Main Street;

Thence in a southerly direction on a line forming an angle of 76°30'06" with the said southerly right-of-way line of the Toledo and Western Railway Company as measured from southwest to south to the centerline of Ten Mile Creek;

Thence in a northwesterly and westerly direction on the said centerline of Ten Mile Creek to the east line of Lot 212 in Block 34 of the Plat of Sylvania (now vacated) as recorded in Plat Book Volume 2B, Page 103, Lucas County Recorder's Office;

Thence in a southerly direction on the said east line of said Lot 212 in Block 34 of the Plat of Sylvania (now vacated) to the south line of said Lot 212 in Block 34 of the Plat of Sylvania (now vacated);

Thence in a westerly direction on the said south line of said Lot 212 in Block 34 of the Plat of Sylvania (now vacated) to the easterly right-of-way line of South Main Street;

Thence in a southerly direction on the said easterly right-of-way line of South Main Street to a line 66' southerly of, and parallel to, the north line of Lot 213 in Block 34 of the Plat of Sylvania (now vacated);

Thence in an easterly direction on the said line 66' southerly of, and parallel to, the north line of Lot 213 in Block 34 of the Plat of Sylvania (now vacated) to east line of Lot 213 in Block 34 of the Plat of Sylvania (now vacated);

Thence in a southerly direction on the said east line of Lot 213 in Block 34 of the Plat of Sylvania (now vacated) to the south line of Lot 215 in Block 34 of the Plat of Sylvania (now vacated);

Thence in a westerly direction on the said south line of Lot 215 in Block 34 of the Plat of Sylvania (now vacated) to the intersection of the extended south line of said Lot 215 with the westerly right-of-way line of South Main Street;

Thence in a southerly direction on the said westerly right-of-way line of South Main Street to the northerly property line of a parcel of land owned by *Leonard Paul Blair, Bishop of the Roman Catholic Diocese of Toledo in America*, as recorded in Instrument Number 20040420-0030249, Lucas County Recorder's Office, also being Lucas County Auditor's Tax Parcel 82-03795;

Thence in a westerly direction on the said northerly property line to the easterly property line of a parcel of land owned by *Leonard Paul Blair, Bishop of the Roman Catholic Diocese of Toledo in America*, as recorded in Instrument Number 20040420-0030249, Lucas County Recorder's Office, also being Lucas County Auditor's Tax Parcel 82-04177;

Thence in a northerly direction on the said easterly property line to the northerly property line of the said parcel;

Thence in a westerly direction on the said northerly property line to the centerline of right-of-way of a parcel of land owned by the *Pennsylvania Lines LLC*, also being Lucas County Auditor's Tax Parcel 82-99015;

Thence in a northerly direction on the said centerline of right-of-way to the centerline of Ten Mile Creek;

Thence in a westerly on the said centerline of Ten Mile Creek to the point of beginning.



**ORDINANCE NO. 46 -2013****AMENDING COMMUNITY REINVESTMENT AREA NO. 6,  
DESIGNATING A HOUSING OFFICER, ESTABLISHING A  
COMMUNITY REINVESTMENT AREA HOUSING COUNCIL;  
REPEALING RESOLUTION NO. 26-96; AND DECLARING AN  
EMERGENCY.**

WHEREAS, Resolution No. 4-93, passed February 17, 1993, established and described the boundaries of a Community Reinvestment Area (“CRA”) to be known as Community Reinvestment Area Number 6; and,

WHEREAS, Resolution No. 29-96, passed July 1, 1996, directed the Housing Officer of Community Reinvestment Area Number 6 not to accept any new applications for exemptions for this CRA; and,

WHEREAS, the Economic Development Subcommittee met on May 24, 2012, June 11, 2012, and July 10, 2012 to review the City’s Community Reinvestment Areas; and,

WHEREAS, the Committee of the Whole met on March 4, 2013, April 15, 2013 and June 3, 2013 to review the City’s Community Reinvestment Areas; and,

WHEREAS, subsequent to these meetings, the Economic Development Subcommittee recommended that the boundaries of Community Reinvestment Area No. 6 be amended to include residential properties in as shown on the attached “Exhibit A” which include housing facilities or structures of historical significance are located and new housing construction is discouraged; and,

WHEREAS, including the additional properties within the boundaries of Community Reinvestment Area will serve to encourage economic stability, maintain real property values, promote the public health, safety and general welfare, and generate new employment opportunities; and,

WHEREAS, a survey of the housing within the City of Sylvania has been performed; and,

WHEREAS, the Council of the City of Sylvania has deemed it necessary to amend the boundaries of the Community Reinvestment Area to include such areas as permitted in Sections 3735.65 to 3735.70 of the Ohio Revised Code.

NOW, THEREFORE BE IT ORDAINED by the Council of the City of Sylvania, Lucas County, Ohio, \_\_\_\_\_ members elected thereto concurring:

SECTION 1. That Community Reinvestment Area No. 6 is hereby amended as described in detail on the attached "Exhibit A" which is incorporated herein by reference.

SECTION 2. That Resolution No. 29-96 is hereby repealed and the owner of any real property located in said Community Reinvestment Area Number 6 may file an application with the Housing Officer for an exemption from real property taxation for a new structure or remodeling completed after the effective date of this ordinance.

SECTION 3. That said Community Reinvestment Area No. 6 is one in which housing facilities or structures of historical significance are located and new housing and repair of existing facilities or structures are discouraged.

SECTION 4. That within the above-described Community Reinvestment Area tax exemptions for improvements to real property as described in Ohio Revised Code Section 3735.67 will be granted. For the construction of every dwelling, or commercial or industrial structure located in said area as provided in Ohio Revised Code Section 3735.67(C), an exemption will be granted for up to fifteen years as set forth below.

SECTION 5. That Council hereby designated the Mayor as Housing Officer for the City of Sylvania.

SECTION 6. That there is hereby established a Community Reinvestment Area Housing Council for Community Reinvestment Area No. 6. The Mayor is to appoint two (2) members, the Council is to appoint two (2) members, and the Planning Commission is to appoint one (1) member. The majority of the foregoing members are to appoint two (2) additional members who shall be residents within the Area. The terms shall be for three years. An unexpired term resulting from a vacancy in the Council shall be filled in the same manner as the initial appointment was made.

SECTION 7. The tax exemption shall first apply in the year following the calendar year in which the certification is made to the Lucas County Auditor by the Housing Officer pursuant to Section 5 above. If the remodeling qualifies for an exemption under Section 8 below, the dollar amount by which the remodeling increased the market value of the structure shall be exempt from real property taxation. If the construction qualifies for an exemption under Section 8 below, the structure shall not be considered an improvement of the land on which it is located for the purpose of real property taxation.

SECTION 8. That the construction of new structures and the remodeling of existing structures within said Reinvestment Area are hereby declared to be a public purpose for which

exemptions from real property taxation are granted for the following periods:

- A. For remodeling or construction of new dwellings containing not more than two family units and upon which cost of remodeling is Three Thousand Dollars (\$3,000.00) or more, a period of not more than fifteen (15) years and the abatement may be 100% of the increase in property tax valuation as a result of the remodeling or construction.
- B. For remodeling or construction of new dwellings containing more than two family units and upon which cost of remodeling is Ten Thousand Dollars (\$10,000.00) or more, a period of not more than fifteen (15) years and the abatement may be 100% of the increase in property tax valuation as a result of the remodeling or construction.
- C. For remodeling or construction of new commercial structures, a period of not more than ten (10) years and the abatement may be 100% of the increase in property tax valuation as a result of the remodeling or construction.
- D. For remodeling or construction of new mixed use structures, a period of not more than fifteen (15) years and the abatement may be 100% of the increase in property tax valuation as a result of the remodeling or construction.

Any project currently under construction in Community Reinvestment Area No. 6 at the time of the passage of this ordinance may receive exemption based on the terms as amended above.

SECTION 9. That the Clerk is hereby directed to publish this ordinance in a newspaper of general circulation in the municipal corporation once a week for two consecutive weeks immediately following its adoption.

SECTION 10. That the Clerk is hereby directed to forward a copy of this Ordinance to the Lucas County Auditor and the Ohio Department of Development for information purposes.

SECTION 11. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 12. That the Clerk of Council is hereby directed to post a copy of this Ordinance in the Office of the Clerk of Council in the Municipal Building pursuant to ARTICLE III, Sections 11(c) and 12, of the Charter of this City.

SECTION 13. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, property and welfare and for the further reason that the amendments to the boundaries of Community Reinvestment Area will serve to encourage economic stability, maintain real property values, promote the public health, safety and general welfare, and generate new employment opportunities and therefore should be effective immediately. Provided this Ordinance receives the affirmative vote of five (5) or more members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force thirty

(30) days after it is approved by the Mayor or as otherwise provided by the Charter.

Vote dispensing with the second and third readings:        Yeas \_\_\_\_\_ Nays \_\_\_\_\_

Passed, \_\_\_\_\_, 2013, as an emergency issue.

\_\_\_\_\_  
President of Council

ATTEST:

\_\_\_\_\_  
Clerk of Council

APPROVED:

APPROVED AS TO FORM:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Director of Law

\_\_\_\_\_  
Date

EXHIBIT "A"  
Description of the Boundaries of Community Reinvestment Area #6

Situated in the State of Ohio, County of Lucas, City of Sylvania, Section 11, Town 9 South, Range 6 East, and being a parcel of land as shown in Exhibit "B" and being more particularly bounded and described as follows:

Beginning at the southwesterly corner of Whetstone Park as recorded in Plat Book Volume 45, Page 71, Lucas County Recorder's Office;

Thence in a northerly direction on the westerly line of Whetstone Park to the centerline of right-of-way of Alexis Road;

Thence in a northeasterly direction on the said centerline of right-of-way of Alexis Road to the extended intersection of the easterly line of Lot 287 of said Whetstone Park;

Thence in a southerly direction on the said extended intersection of the easterly line of Lot 287, the easterly lines of Lots 288 through 316 inclusive, to the extended intersection of the easterly line of Lot 316 with the centerline of right-of-way of McGregor Lane;

Thence in a westerly direction on the said centerline of right-of-way of McGregor Lane to the extended intersection of the westerly line of Lot 11 of Bentbrook Addition as recorded in Plat Book Volume 56, Page 50, Lucas County Recorder's Office;

Thence in a southerly direction on the said westerly line of Lot 11 of Bentbrook Addition, the westerly lines of Lots 3 through 10 inclusive, to the southwest corner of Lot 3 of said Bentbrook Addition;

Thence easterly on the southerly line of said Lot 3 to the centerline of right-of-way of Bentbrook Road;

Thence southerly on the said centerline of right-of-way of Bentbrook Road to the extended intersection of the northerly line of Lot 1 of said Bentbrook Addition;

Thence in a southeasterly direction on the northerly line of Lot 1 to the northeast corner of said Lot 1 of Bentbrook Addition;

Thence in a southerly direction on the east line of said Lot 1 to the northwest corner of a parcel of land owned by *L & D Real Estate, Ltd.*, as recorded in Instrument Number 20120208-0006276, Lucas County Recorder's Office, said parcel also being Lucas County Auditor's Tax Parcel 82-05101;

Thence in an easterly direction on the north line of said *L & D Real Estate, Ltd.* parcel to the northwest corner of a parcel of land owned by *L & D Real Estate, Ltd.*, as recorded in Instrument Number 20120208-0006276, Lucas County Recorder's Office, said parcel also being Lucas County Auditor's Tax Parcel 82-05131;

Thence in an easterly direction on the north line of said *L & D Real Estate, Ltd.* parcel to the northwest corner of a parcel of land owned by *L & G Enterprises Co., an Ohio General Partnership*, as recorded in Microfiche 94 009B12, Lucas County Recorder's Office, said parcel also being Lucas County Auditor's Tax Parcel 82-05096;

Thence in an easterly direction on the north line of said *L & G Enterprises Co., an Ohio General Partnership* parcel to the northwest corner of a parcel of land owned by *Silvertown Investors, Ltd.*, as recorded in Microfiche 99 271C08, Lucas County Recorder's Office, said parcel also being Lucas County Auditor's Tax Parcel 82-05124;

Thence in an easterly direction on the north line of said *Silvertown Investors, Ltd.* parcel to the northwest corner of a parcel of land owned by *Silvertown Investors, Ltd.*, as recorded in Microfiche 99 271C08, Lucas County Recorder's Office, said parcel also being Lucas County Auditor's Tax Parcel 82-05121;

Thence in an easterly direction on the north line of said *Silvertown Investors, Ltd.* parcel to the northwest corner of a parcel of land owned by *Silvertown Investors, Ltd.*, as recorded in Microfiche 99 271C08, Lucas County Recorder's Office, said parcel also being Lucas County Auditor's Tax Parcel 82-05117;

Thence in an easterly direction on the north line of said *Silvertown Investors, Ltd.* parcel to the centerline of right-of-way of Silvertown Drive;

Thence in a southerly direction on the said centerline of right-of-way of Silvertown Drive to the centerline of right-of-way of Monroe Street;

Thence in a northwesterly direction on the said centerline of right-of-way of Monroe Street to the extended extension of the westerly line of Country Square Condominium as recorded in Plat Book Volume 76, Page 49, Lucas County Recorder's Office;

Thence in a northerly direction on the westerly line of said Country Square Condominium to the point of beginning.

LUCAS COUNTY  
CITY OF SYLVANIA  
SEC. 11 T9S, R6E



- LEGEND:  
 A - TAX PARCEL 82-46510 (L & D REAL ESTATE, LTD.)  
 B - TAX PARCEL 82-46511 (L & D REAL ESTATE, LTD.)  
 C - TAX PARCEL 82-45086 (L & G ENTERPRISE CO., AN OHIO GENERAL PARTNERSHIP)  
 D - TAX PARCEL 82-45124 (L & G ENTERPRISE CO., AN OHIO GENERAL PARTNERSHIP)  
 E - TAX PARCEL 82-45121 (SILVERTOWN INVESTORS, LTD.)  
 F - TAX PARCEL 82-45117 (SILVERTOWN INVESTORS, LTD.)

DEPARTMENT OF PUBLIC SERVICE

LOCATION MAP  
COMMUNITY REINVESTMENT AREA #6



EXHIBIT: B  
 DRAWN BY: JES  
 DATE: 5/29/2013

10a4

**ORDINANCE NO. 48 -2013**

**AMENDING COMMUNITY REINVESTMENT AREA NO. 1,  
DESIGNATING A HOUSING OFFICER, ESTABLISHING A  
COMMUNITY REINVESTMENT AREA HOUSING COUNCIL;  
REPEALING RESOLUTION NO. 24-96; AND DECLARING AN  
EMERGENCY.**

WHEREAS, Resolution No. 15-87, passed September 9, 1987, established and described the boundaries of a Community Reinvestment Area (“CRA”) to be known as Community Reinvestment Area Number 1; and,

WHEREAS, Resolution No. 24-96, passed July 1, 1996, directed the Housing Officer of Community Reinvestment Area Number 6 not to accept any new applications for exemptions for this CRA; and,

WHEREAS, the Economic Development Subcommittee met on May 24, 2012, June 11, 2012, and July 10, 2012 to review the City’s Community Reinvestment Areas; and,

WHEREAS, the Committee of the Whole met on March 4, 2013, April 15, 2013 and June 3, 2013 to review the City’s Community Reinvestment Areas; and,

WHEREAS, subsequent to these meetings, the Economic Development Subcommittee recommended that some of the terms for Community Reinvestment Area No. 1 be amended to comply with the new terms for Community Reinvestment Areas 3, 6 and 8; and,

WHEREAS, including the new terms for properties within the boundaries of Community Reinvestment Area will serve to encourage economic stability, maintain real property values, promote the public health, safety and general welfare, and generate new employment opportunities; and,

WHEREAS, a survey of the housing within the City of Sylvania has been performed; and,

WHEREAS, the Council of the City of Sylvania has deemed it necessary to amend the terms of the Community Reinvestment Area.

NOW, THEREFORE BE IT ORDAINED by the Council of the City of Sylvania, Lucas County, Ohio, \_\_\_\_\_ members elected thereto concurring:

SECTION 1. That the boundaries and legal description for Community Reinvestment Area No. 1 is described in detail on the attached "Exhibit A" which is incorporated herein by reference.

SECTION 2. That Resolution No. 24-96 is hereby repealed and the owner of any real property located in said Community Reinvestment Area Number 1 may file an application with the Housing Officer for an exemption from real property taxation for a new structure or remodeling completed after the effective date of this ordinance.

SECTION 3. That said Community Reinvestment Area No. 1 is one in which housing facilities or structures of historical significance are located and new housing and repair of existing facilities or structures are discouraged.

SECTION 4. That within the above-described Community Reinvestment Area tax exemptions for improvements to real property as described in Ohio Revised Code Section 3735.67 will be granted. For the construction of every dwelling, or commercial or industrial structure located in said area as provided in Ohio Revised Code Section 3735.67(C), an exemption will be granted for up to fifteen years as set forth below.

SECTION 5. That Council hereby designated the Mayor as Housing Officer for the City of Sylvania.

SECTION 6. That there is hereby established a Community Reinvestment Area Housing Council for Community Reinvestment Area No. 1. The Mayor is to appoint two (2) members, the Council is to appoint two (2) members, and the Planning Commission is to appoint one (1) member. The majority of the foregoing members are to appoint two (2) additional members who shall be residents within the Area. The terms shall be for three years. An unexpired term resulting from a vacancy in the Council shall be filled in the same manner as the initial appointment was made.

SECTION 7. The tax exemption shall first apply in the year following the calendar year in which the certification is made to the Lucas County Auditor by the Housing Officer pursuant to Section 5 above. If the remodeling qualifies for an exemption under Section 8 below, the dollar amount by which the remodeling increased the market value of the structure shall be exempt from real property taxation. If the construction qualifies for an exemption under Section 8 below, the structure shall not be considered an improvement of the land on which it is located for the purpose of real property taxation.

SECTION 8. That the construction of new structures and the remodeling of existing structures within said Reinvestment Area are hereby declared to be a public purpose for which exemptions from real property taxation are granted for the following periods:

- A. For remodeling or construction of new dwellings containing not more than two family units and upon which cost of remodeling is Three Thousand Dollars (\$3,000.00) or more, a period of not more than fifteen (15) years and the abatement may be 100% of the increase in property tax valuation as a result of the remodeling or construction.

- B. For remodeling or construction of new dwellings containing more than two family units and upon which cost of remodeling is Ten Thousand Dollars (\$10,000.00) or more, a period of not more than fifteen (15) years and the abatement may be 100% of the increase in property tax valuation as a result of the remodeling or construction.
- C. For remodeling or construction of new commercial structures, a period of not more than ten (10) years and the abatement may be 100% of the increase in property tax valuation as a result of the remodeling or construction.
- D. For remodeling or construction of new mixed use structures, a period of not more than fifteen (15) years and the abatement may be 100% of the increase in property tax valuation as a result of the remodeling or construction.

Any project currently under construction in Community Reinvestment Area No. 1 at the time of the passage of this ordinance may receive exemption based on the terms as amended above.

SECTION 9. That the Clerk is hereby directed to publish this ordinance in a newspaper of general circulation in the municipal corporation once a week for two consecutive weeks immediately following its adoption.

SECTION 10. That the Clerk is hereby directed to forward a copy of this Ordinance to the Lucas County Auditor and the Ohio Department of Development for information purposes.

SECTION 11. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 12. That the Clerk of Council is hereby directed to post a copy of this Ordinance in the Office of the Clerk of Council in the Municipal Building pursuant to ARTICLE III, Sections 11(c) and 12, of the Charter of this City.

SECTION 13. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, property and welfare and for the further reason that the amendments to the boundaries of Community Reinvestment Area will serve to encourage economic stability, maintain real property values, promote the public health, safety and general welfare, and generate new employment opportunities and therefore should be effective immediately. Provided this Ordinance receives the affirmative vote of five (5) or more members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force thirty (30) days after it is approved by the Mayor or as otherwise provided by the Charter.

Vote dispensing with the second and third readings:      Yeas \_\_\_\_\_ Nays \_\_\_\_\_

Passed, \_\_\_\_\_, 2013, as an emergency issue.

\_\_\_\_\_  
President of Council

ATTEST:

\_\_\_\_\_  
Clerk of Council

APPROVED:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

APPROVED AS TO FORM:

\_\_\_\_\_  
Director of Law

## "Exhibit A"

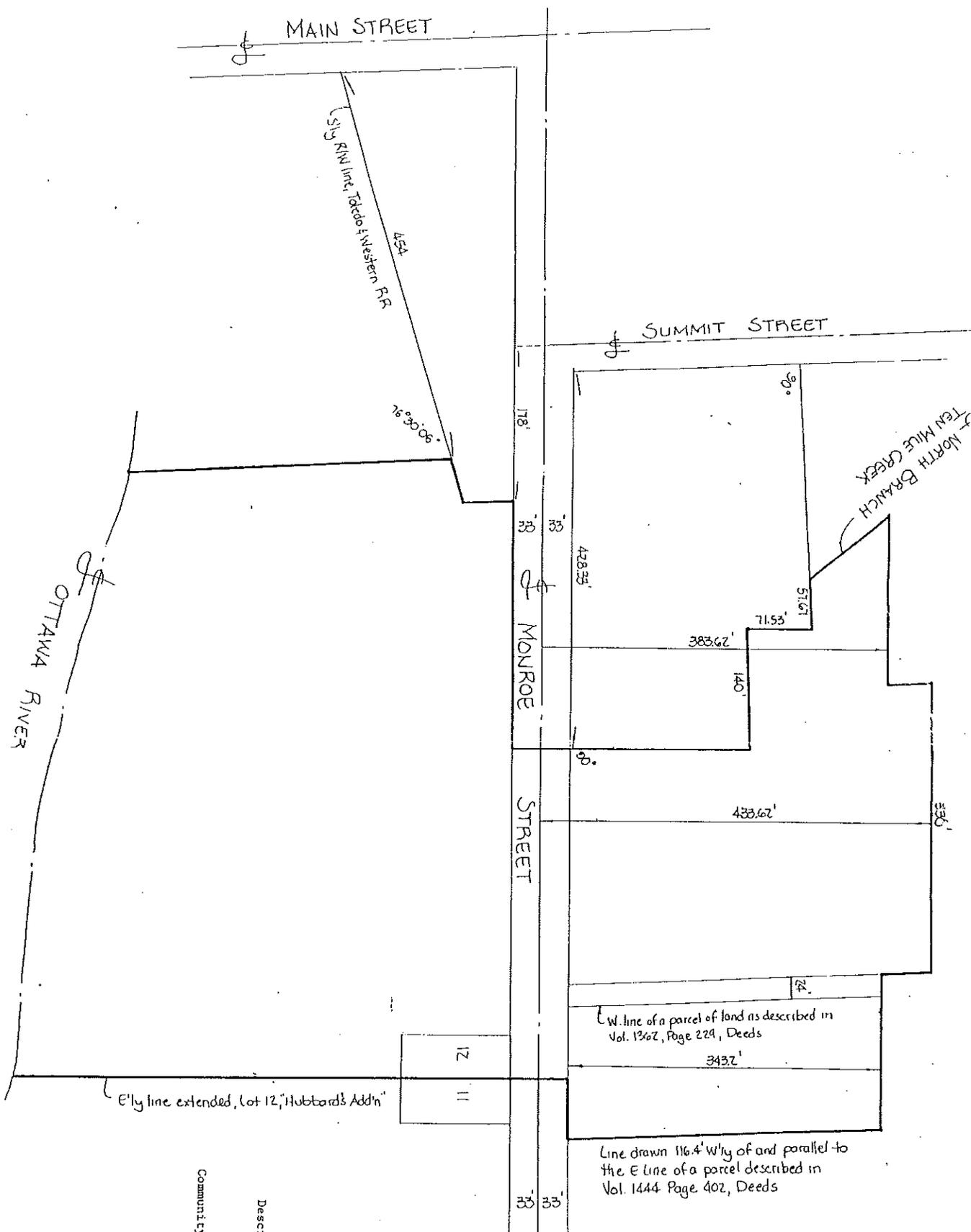
## Description of the Boundaries

of

## Community Reinvestment Area, Number 1.

A parcel of land being part of the Northwest 1/4 of Section 10, Town 9 South, Range 6 East in the City of Sylvania, Lucas County, Ohio, being bounded and described as follows:

Beginning at a point on the southerly line of Monroe Street (66' wide) which is 178' easterly of the centerline of Summit Street extended; thence in a southerly direction along a line drawn parallel with the said centerline of Summit Street extended, to the southerly line of the former right-of-way of the Toledo and Western Railway Company; thence southwesterly along the said southerly right-of-way line to a point 454' northeasterly of and measured along the southerly right-of-way line from the east line of Main Street; thence southerly along a line forming an angle of  $76^{\circ}30'06''$  with the said southerly right-of-way line of the Toledo and Western Railway Company as measured from southwest to south to the centerline of the Ottawa River (Ten Mile Creek), as it now exists; thence in an easterly direction along the said centerline of the Ottawa River (Ten Mile Creek) to the intersection of the extension of the east line of Lot 12 in "Hubbard's Addition"; thence in a northerly direction along the extension of the east line of Lot 12 in "Hubbard's Addition" and the said east line of Lot 12 in "Hubbard's Addition" to the northerly right-of-way line of said Monroe Street; thence in an easterly direction along the said northerly right-of-way line of Monroe Street to the intersection of a line drawn 116.4' westerly of and parallel with the east line of a parcel of land as described in Volume 1444 Page 402, Lucas County Deed Records; thence in a northerly direction along said line drawn 116.4' westerly of and parallel to the east line of a parcel of land as described in Volume 1444 Page 402 Lucas County Deed Records to the intersection of a line drawn 343.2' northerly of and parallel with the said northerly right-of-way line of Monroe Street; thence in a westerly direction along said line drawn parallel with the northerly right-of-way line of Monroe Street to the intersection of a line drawn 24' westerly of and parallel with the west line of a parcel of land as described in Volume 1362 Page 229 Lucas County Deed Records; thence in a northerly direction along said line drawn 24' westerly of and parallel with the west line of a parcel of land as described in Volume 1362 Page 229 Lucas County Deed Records to the intersection of a line drawn 433.62' northerly of and parallel with the centerline of said Monroe Street; thence in a westerly direction along said line drawn 433.62' northerly of and parallel with the centerline of Monroe Street, a distance of 330'; thence in a southerly direction along a line drawn parallel with the said west line of a parcel of land described in Volume 1362 Page 229 Lucas County Deed Records to the intersection of a line drawn 383.62' northerly of and parallel with the said centerline of Monroe Street; thence in a westerly direction along said line drawn 383.62' northerly of and parallel with the centerline of Monroe Street to the centerline of the North Branch of Ten Mile Creek; thence in a southeasterly direction along the said centerline of the North Branch of Ten Mile Creek to the intersection of a line drawn at right angles to the east right-of-way line of said Summit Street; thence in an easterly direction along said line drawn at right angles to the east right-of-way line of Summit Street, a distance of 57.67' to the intersection of a line drawn at right angles to the said centerline of Monroe Street; thence in a southerly direction along said line drawn at right angles to the centerline of Monroe Street, a distance of 71.53' to a point; thence in an easterly direction along a line making an angle of  $87^{\circ}07'18''$  (measured from north to east) with the last described line, a distance of 140' to the intersection of a line drawn at right angles to the said centerline of Monroe Street; thence in a southerly direction along said line drawn at right angles to the centerline of Monroe Street to a point on the northerly right-of-way line of Monroe Street that is 428.33' from the east right-of-way line of Summit Street; thence continuing in a southerly direction along said line drawn at right angles to the centerline of Monroe Street to the said southerly right-of-way line of Monroe Street; thence in a westerly direction along the said southerly right-of-way line of Monroe Street to the point of beginning.



"Exhibit A"

Description of the Boundaries

of

Community Reinvestment Area, Number 1.

**City of Sylvania**  
Bank Reconciliation  
May 2013

CHECKBOOK BALANCE	
Ending balance for Apr 2013	\$ 23,382,980.95
Add: Monthly Receipts	<u>1,514,528.26</u>
Subtotal	\$ 24,897,509.21
Less: Monthly Disbursements	<u>2,341,973.48</u>
Ending balance for May 2013	\$ 22,555,535.73
Less:	
Certificates of Deposit	\$ (1,000,000.00)
Star Ohio	(76,939.44)
Petty Cash (1)	(2,050.00)
Cemetery Savings	(1,062.86)
Toledo Community Fund	(28,386.02)
PNC MoneyMarket	(1,027,027.01)
Key Bank Securities	(1,007,225.95)
5/3rd Securities	(12,112,921.50)
SJS Account	(5,214,158.10)
Sylvania Township Bonds	(680,000.00)
	\$ 1,405,764.85
Less:	
Qtrly Tax deposit to be posted	3,456.71
	<u>\$ 1,409,221.56</u>
(1)	
Division of Public Service	\$ 150.00
Department of Finance	100.00
Division of Water	600.00
Division of Police	200.00
Municipal Court	700.00
Division of Taxation	150.00
Division of Forestry	150.00

Petty Cash Balance \$ 2,050.00

BANK BALANCE	
EOM 5/3rd Bank Balance	\$ 1,603,759.06
Deposits in Transit	<u>2,065.00</u>
Subtotal	\$ 1,605,824.06
Less: Outstanding Checks (2)	<u>196,602.50</u>
Adjusted Bank Balance	\$ 1,409,221.56
(2)	
Apr Outstanding Checks	\$ 480,597.60
Checks written this month	<u>986,896.32</u>
Subtotal	\$ 1,467,493.92
Checks Cleared	<u>(1,270,891.42)</u>
May Outstanding Checks	\$ 196,602.50

  
 Toby Schroyer  
 Director of Finance, City of Sylvania



# City of Sylvania

DIVISION OF TAXATION

CHRISTY M. GOLIS, COMMISSIONER OF TAXATION

June 3, 2013

Mayor Craig A. Stough and Members of Council  
City of Sylvania  
Sylvania, Ohio

Dear Mayor Stough and Council Members:

The monthly cash report from the Division of Taxation is as follows:

	Deposits	Refunds	Balance
May 31, 2013	\$660,147.31	\$64,212.44	\$595,934.87
May 31, 2012	\$656,471.62	\$34,390.46	\$622,081.16
	-----	-----	-----
Monthly Difference	\$3,675.69	\$29,821.98	-\$26,146.29
Year to Date 2013	\$4,484,388.91	\$118,592.61	\$4,365,796.30
Year to Date 2012	\$4,261,437.86	\$73,682.18	\$4,187,755.68
	-----	-----	-----
Yearly Difference	\$222,951.05	\$44,910.43	\$178,040.62

Respectfully submitted,

Christy M. Golis  
Tax Commissioner

c: Mr. Toby Schroyer, Finance Director



**Board of County  
Commissioners**  
**Carol Contrada**  
*President*  
**Tina Skeldon Wozniak**  
**Pete Gerken**

Jody L. Balogh  
*Clerk of the Board*

June 3, 2013

Ms. Sharon Bucher  
Clerk of Council  
City of Sylvania  
6730 Monroe Street  
Sylvania, OH 43560

Re: Annexation Petition No. 2013-1  
Portions of Sylvania Township  
to the City of Sylvania

Dear Ms. Bucher:

Enclosed is a certified copy of Resolution No. 13-452 granting the above-referenced annexation petition. If there are no appeals filed within 30 days, I will send you a complete record of the proceedings.

If you have any questions, please give me a call.

Sincerely,

A handwritten signature in blue ink that reads "Jody L. Balogh".

Jody L. Balogh, Clerk

/jlb  
Enclosure

**Date:** May 21, 2013

**Resolution No. 13-452**

**Title:** Hearing and Approval of Annexation Petition 2013-1, 7.70± Acres of Real Estate in Sylvania Township to the City of Sylvania

**Department/Agency:** Prosecutor

**Contact:** John A. Borell

**Summary/Background:** There was filed with this Board on March 4, 2013, a petition for the annexation by a majority of the owners of approximately 6.30 acres of land, more or less, of real estate in Sylvania Township to the City of Sylvania by James A. Moan, Esq., agent for the petitioners. The petitioners requested that the territory be annexed pursuant to the annexation procedures contained in *O.R.C. 709.02*

On March 12, 2013, this Board accepted the filing of Annexation Petition 2013-1 and set the hearing date of May 21, 2013.

On April 15, 2013, the agent for the Petitioners filed a corrected legal description containing roads (1.40± acres) adjacent to the parcels of land. Therefore, the area to be annexed has been amended to include approximately 7.70± acres of real estate.

On May 21, 2013, at 1:39 p.m., Commissioner Contrada opened the hearing pursuant to, and in accordance with, *O.R.C. 709.03 (A)* and *709.032 (B)*; Commissioner Skeldon Wozniak and Commissioner Gerken were present. The notice of this public hearing was published on May 1, 2013, in the Toledo Legal News, and an affidavit of the proof of publication was provided by the agent for the petitioners.

The agent for the petitioners, James E. Moan, Esq., was present. Leslie B. Brinning for James E. Moan, Esq., stated the technical requirements of said annexation and affirmed that said annexation meets the requirements set forth in, and was filed in accordance with *O.R.C. 709.02*.

Mr. John Zeitler, Sylvania Township Administrator, was present and stated that the residence will be required to pay City of Sylvania income tax if their properties are annexed to the City of Sylvania, as well as a street lighting fee and possibly a garbage fee.

Mr. John Borell, Assistant Prosecuting Attorney, was present. Mr. Borell reviewed the technical requirements of said annexation and affirmed that said annexation meets the requirements set forth in, and was filed in accordance with *O.R.C. 709.02*.

Mr. Kevin Haddad, Sylvania Township Trustee, was present and spoke about sewer and water assessments, lighting district, and garbage fees. Mr. Haddad stated that he is neither for nor against the annexation, but wanted residence to know that there are other options.

Mr. William Dryer of 5222 Arbor Way, Sylvania, Ohio, was present and spoke in favor of said annexation and stated that he is already paying for garbage disposal.

May 21, 2013

Hearing and Approval of Annexation Petition 2013-1 of 7.70± Acres of Real Estate in Sylvania Township to the City of Sylvania

Page 2

No one spoke in opposition to the annexation. The hearing was closed at 1:49 p.m.

**Budget Impact:** N/A

**Statutory Authority/ORC:** 709.02

**Commissioner Contrada offered the following resolution:**

WHEREAS, in consideration of the above, NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners, Lucas County, Ohio, that:

Section 1. This Board, based upon a preponderance of the substantial, reliable, and probative evidence on the whole record, hereby makes the following findings fact:

- a. The petition meets all of the requirements set forth in, and was filed in, the manner provided in *O.R.C. 709.02*;
- b. The persons who signed the petition are the owners or real estate located in the territory proposed to be annexed;
- c. The number of valid signatures on the petition constitutes a majority of the owners of real estate in the territory as of the date that the petition was filed;
- d. The City of Sylvania, has, pursuant to *O.R.C. 709.03(D)*, adopted an ordinance that includes a statement indicating what services it will provide and an approximate date that it will provide the services to the territory to be annexed, upon annexation;
- e. The territory is not unreasonably large;
- f. On balance, the general good of the territory proposed to be annexed will be served, and the benefits to the territory proposed to be annexed and the surrounding area will outweigh the detriments to the territory proposed to be annexed and the surrounding area, if the annexation petition is granted; and
- g. No street or highway will be divided or segmented by the boundary line between the Township and the City as to create a road maintenance problem, or, if a street or highway will be so divided or segmented, the City of Sylvania has agreed, as a condition of the annexation, that it will assume the maintenance of that street or Highway;

May 21, 2013

**Hearing and Approval of Annexation Petition 2013-1 of 7.70± Acres of Real Estate in Sylvania Township to the City of Sylvania**

**Page 3**

Section 2. The petition to annex 7.70± acres of real estate in Sylvania Township to the City of Sylvania is hereby granted.

Section 3. The Clerk of the Board is hereby directed to deliver a certified copy of this resolution to the clerk of the Sylvania City Council, the Sylvania Township Clerk, and the agent for Petitioners.

Section 4. If after the expiration of thirty days from the date of this resolution no appeal has been filed, the Clerk of the Board is directed to deliver a certified copy of the entire record of the annexation proceedings to the auditor or clerk of the municipality.

Section 5. This Board finds and determines that all formal actions of this Board concerning and relating to the adoption of this resolution were taken in an open meeting of this Board, and that all deliberations of this Board that resulted in those formal actions were in meetings open to the public to the extent required by law.

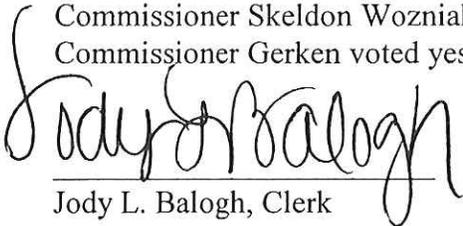
Section 6. This resolution shall be in full force and effect from and immediately upon its adoption.

**Action Taken:**

Commissioner Contrada voted yes

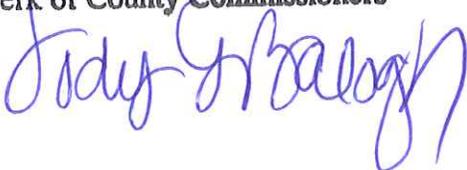
Commissioner Skeldon Wozniak voted yes

Commissioner Gerken voted yes



Jody L. Balogh, Clerk

I hereby certify that the foregoing is a true and exact copy of Resolution No. 13-452 duly passed by the Board of County Commissioners, Lucas County, Ohio, at its meeting on May 21, 2013  
Clerk of County Commissioners



## Sylvania Municipal Planning Commission

Minutes of the regular meeting of June 12, 2013. Mr. Lindsley called the meeting to order.

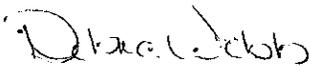
Members present: Mayor Craig Stough, Read Backus, Ken Marciniak, Thomas Lindsley, (4) present. Mr. Robert Oberly present.

Dr. Backus moved, Mr. Marciniak seconded to approve the Minutes of the May 15, 2013, meeting as submitted. Vote being: (4) aye; (0) nay. Motion passed by a 4 to 0 vote.

Item 3 - Council Referral - ZA-1-2013, requested by Renee Mason to change the zoning from R-3 Multiple Dwelling Medium Density District to B-2 General Business District for the property located at 5441 Main Street, Sylvania, OH 43560. Mike White of the Buckeye Real Estate Group was present. He explained that the intent of the owner is to make improvements to the inside of the residential home, within the existing walls, including a commercial kitchen. The owner is a physician and will be preparing special dietary meals for people with health conditions such as diabetes which will be picked up by or delivered to customers. Meals will not be served on the premises. He also explained that an addition will be made to the back of the home which will become a small health fitness type business which will hold small size classes of 10 to 15 people such as aerobics and spinning. Mr. Oberly added that applications were also submitted by Dr. Garner of Edifice Rex, LTD to change the zoning of the properties that he owns at 5445, 5453 and 5457 Main St. to B-2 and that Doug Dymarkowski, owner of 5431 Main St., will also be submitting an application of the same in the near future. Mr. Dymarkowski came in late to the meeting and confirmed his intent to submit an application for the zoning change in the future. Mr. Bill Sanford, the City's Economic Development Director was also present, and stated that he supports what the owners intend to do with the properties. Mr. Marciniak moved, Mayor Stough seconded to recommend approval that the zoning of the property located at 5441 Main St. to be changed from R-3 Multiple Dwelling Medium Density District to B-2 General Business District. Vote being: Marciniak, Stough, Backus, Lindsley (4) aye; (0) nay. Motion passed by a 4 to 0 vote.

Dr. Backus moved, Mayor Stough seconded to adjourn the meeting. All present voted aye. Meeting adjourned.

Submitted by,



Debra Webb, Secretary  
Municipal Planning Commission

Board of Architectural Review

Minutes of the regular meeting of June 12, 2013. Mr. Lindsley called the meeting to order.

Members present: Mayor Craig Stough, Read Backus, Ken Marciniak, Thomas Lindsley, (4) present. Mr. Robert Oberly present.

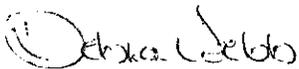
Mr. Marciniak moved, Dr. Backus seconded to approve the Minutes of the May 15, 2013, meeting as submitted. Vote being: (4) aye; (0) nay. Motion passed by a 4 to 0 vote.

Item 3 - Regulated Sign – app. no. 13-2013 requested by Kassie Lands for Kosmo, 7625 Sylvania Ave., Sylvania, Ohio 43560. Application is for a 4 ft. by 12 ft. box sign with channel letters to be installed on the front of the building. Sign is within the square footage limits of the Sylvania Sign Code. Mr. Marciniak moved, Dr. Backus seconded, to grant a Certificate of Appropriateness for the sign shown in the drawing submitted with the application. Vote being: Backus, Marciniak, Stough and Lindsley (4) aye; (0) nay. Motion passed by a 4 to 0 vote.

Item 4 - Regulated Sign – app. no. 14-2013 requested by Toledo Sign Company for Northern Ohio Investment Co., 5700 Monroe Street, Sylvania, Ohio 43560. Application is for 24” and 6” non-illuminated plastic formed letters to be installed on the front of the building. Sign is within the square footage limits of the Sylvania Sign Code. Mr. Marciniak moved, Dr. Backus seconded, to grant a Certificate of Appropriateness for the sign shown in the drawing submitted with the application. Vote being: Backus, Marciniak, Stough and Lindsley (4) aye; (0) nay. Motion passed by a 4 to 0 vote.

Dr. Backus moved, Mayor Stough seconded to adjourn the meeting. All present voted aye. Meeting adjourned.

Submitted by,



Debra Webb, Secretary  
Municipal Planning Commission