

CITY OF VANDALIA
MONTGOMERY COUNTY, OHIO
ORDINANCE 13-12

AN ORDINANCE APPROVING A PLANNED UNIT DEVELOPMENT OVERLAY AND PUD PRELIMINARY PLAN FOR THE PROPERTY LOCATED AT 9385 N. DIXIE DRIVE TO BE KNOWN AS THE "ACORN ACRES PUD"

WHEREAS, the owner of Parcel ID# B02 00622 0020 (the "Parcel") located generally on the West side of N. Dixie Drive just north of I-70, which has an underlying zoning of Neighborhood Business desires to obtain a PUD overlay for the purpose of allowing a barn and barnyard and keeping of certain animals on the Parcel; and

WHEREAS, on July 15, 2013 Council approved a conditional use for a child care facility, on the Parcel; and

WHEREAS, the owner of the Parcel desires to have the child care facility be a nature based facility with the barn and animals; and

WHEREAS, the Planning Commission has held a public hearing and recommended approval of a PUD Overlay to permit the barn, barnyard and keeping of animals provided that the maximum number and types of animals allowed are limited to the types and quantity set forth in the owners proposal;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF VANDALIA, MONTGOMERY COUNTY, OHIO THAT:

Section 1. The Planned Unit Development Overlay for the 5 acre Parcel Parcel ID# B02 00622 0020 is hereby approved and shall be known as the "Acorn Acres PUD" (the "PUD Overlay").

Section 2. The following shall apply to the PUD Overlay: (a) All provisions of the underlying zoning (Neighborhood Business) shall apply except as expressly modified herein; (b) a barn and barnyard shall be permitted in the PUD Overlay as set forth in the final PUD plan; (c) only the following animals (in the following maximum quantities) shall be permitted to be kept on the Parcel: 2 pygmy goats, 2 miniature donkeys, 20 chickens, 1 miniature llama, 2 dogs, 2 cats, 2 ducks, 8 rabbits.

Section 3. The Planned Unit Development Preliminary Plan, being the plan for Acorn Acres as approved by the Planning Commission on July 23, 2013 is hereby approved provided (a) the barn yard and barn shall be generally in the areas depicted on the Acorn Acres New Facility Site Plan dated 6-27-2013, as prepared by Bon Builders; (b) 6' 14 gauge 2"x4" mesh framing fencing shall be used in the barnyard area and secondary fencing (which shall also contain meshing) around the borders of the property; (c) animal caretakers will live on site and available 24 hours per day 7 days per week to tend to animals; (d) animal waste is properly handled so as not to generate complaints.

Passed this 3rd day of September, 2013.

APPROVED:

Arlene J. Setzer, Mayor

ATTEST:

Robert L. Anderson
Clerk of Council