

**ORDINANCE NO. 1 , 2014**

**AN ORDINANCE REZONING A PORTION OF THE VINTAGE CLUB  
PLANNED UNIT DEVELOPMENT DISTRICT FROM SINGLE-FAMILY  
RESIDENTIAL A DISTRICT TO MULTI-FAMILY RESIDENTIAL D-3 DISTRICT**

**WHEREAS**, the Great Traditions Development Group acquired property fronting Montgomery Road and Kemper Road within the City and petitioned the City to rezone the property and to permit the development of the property as a Planned Unit Development Overlay District; and

**WHEREAS**, by Ordinance No. 11, 2006, the City Council did rezone the property to permit both commercial development fronting Montgomery Road and multi-family/single-family residential development on the east and southeast portions of the lot. Council also approved a Planned Unit Development Overlay District and General Development Plan within which was permitted Single-Family Residential A, Multi-Family Residential D-3, and Limited Business L-B Districts; and

**WHEREAS**, the Great Traditions Development Group has petitioned the City to modify the General Development Plan and to rezone a small portion of the development comprising approximately 1.4 acres currently categorized within the Single-Family Residential A District to the Multi-Family Residential D-3 District to permit the development of additional courtyard homes; and

**WHEREAS**, the Planning Commission has reviewed this application and has recommended a modification to the General Development Plan and the Planned Unit Development Overlay District and the rezoning of this portion of the site to the Multi-Family Residential D-3 District as noted on the plat attached hereto as Exhibit A and more specifically described within the legal description outlined in Exhibit B attached; and

**WHEREAS**, Council held a public hearing on November 20, 2013 to consider the recommendation and findings from the Planning Commission after appropriate public notice as required by the Montgomery Zoning Code; and

**WHEREAS**, Council does accept the recommendations and findings of the Planning Commission which supports the rezoning of this property as part of the Planned Unit Development Overlay District and an update to the General Development Plan; and

**WHEREAS**, Council finds that this zoning amendment, if approved, will be consistent with the comprehensive community plan for the City.

**NOW THEREFORE, BE IT ORDAINED** by the Council of the City of Montgomery, Hamilton County, Ohio, that:

**SECTION 1.** Property currently owned by the Great Traditions Development Group within the Vintage Club Planned Unit Development Overlay District as depicted on the attached Exhibit A and more particularly described on the attached Exhibit B shall be rezoned to the Multi-Family Residential D-3 District within the Planned Unit Development Overlay District. The remainder of the property within the Planned Unit Development Overlay District as previously approved by Ordinance No. 11, 2006, and as amended by Ordinance No. 6, 2013, shall remain as previously zoned. Additionally, the General Development Plan as previously approved shall be modified to reflect this change.

**SECTION 2.** The Community Development Director is hereby directed to make a change in the zoning map to reflect the new underlying zone and the boundaries for such zones as modified.

**SECTION 3.** This Ordinance shall take effect the earliest opportunity as allowable by law.

PASSED: January 8, 2014

ATTEST: Susan J. Hamm  
Susan J. Hamm, Clerk of Council

Todd A. Steinbrink  
Todd A. Steinbrink, Mayor

APPROVED AS TO FORM:

Terrence M. Donnellon  
Terrence M. Donnellon, Law Director



EXHIBIT "B"

**DESCRIPTION FOR: Vintage Club Associates, LTD**

**LOCATION: Montgomery Road  
1.4009 acres - Area to be Re-Classified "D-3"**

Situate in Section 36, Town 5, Entire Range 1 of the Miami Purchase in Symmes Township, City of Montgomery, Hamilton County, Ohio and being part of the lands conveyed to Vintage Club Associates, LTD, by deed recorded in O.R. Book 10330, Page 1823, Hamilton County, Ohio Recorder's Office, and being more particularly described as follows:

Beginning at the northeast corner of Lot 39, The Vintage Club, Phase One as recorded in Plat Book 406, Pages 14-17, Hamilton County, Ohio Recorder's Office, said point also being in the west right-of-way line of Village Walk (Private);

Thence, with said west right-of-way line, the following four (4) courses and distances;

1. South  $00^{\circ}12'00''$  West, 40.00 feet to a point;
2. Along an arc deflecting to the right, having a radius of 175.00 feet, a central angle of  $34^{\circ}41'48''$ , a length of 105.97 feet, the chord of said arc bears South  $17^{\circ}32'54''$  West, 104.36 feet to a point;
3. Along an arc deflecting to the left, having a radius of 225.00 feet, a central angle of  $33^{\circ}48'24''$ , a length of 132.76 feet, the chord of said arc bears South  $17^{\circ}59'36''$  West, 130.84 feet to a point;
4. South  $01^{\circ}05'24''$  West, 13.57 feet to a point;

Thence, North  $88^{\circ}54'36''$  West, 15.00 feet to a point;

Thence, South  $01^{\circ}05'24''$  West, 15.00 feet to a point in the north right-of-way line of Vintage Club Drive (Private);

Thence, with said north right-of-way line, the following three (3) courses and distances;

1. North  $88^{\circ}54'36''$  West, 4.07 feet to a point;
2. Along an arc deflecting to the left, having a radius of 225.00 feet, a central angle of  $22^{\circ}32'35''$ , a length of 88.53 feet, the chord of said arc bears South  $79^{\circ}49'06''$  West, 87.96 feet to a point;
3. Along an arc deflecting to the right, having a radius of 535.00 feet, a central angle of  $07^{\circ}16'50''$ , a length of 67.98 feet, the chord of said arc bears South  $72^{\circ}11'14''$  West, 67.94 feet to a point;



Thence, North 00°20'40" West, 314.49 feet to a point in the north corporation line of the City of Montgomery, Ohio;

Thence, with said corporation line and the north line of aforesaid Lot 39, North 89°39'20" East, 28.62 feet to a point and North 86°09'20" East, 206.57 feet to a point;

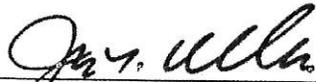
Thence, continuing along the north line of said Lot 39, South 89°48'00" East, 10.05 feet to the Point of Beginning.

Containing 1.4009 acres of land, more or less.

Subject to all legal highways, easements and restrictions of record.

The above description was prepared by McGill Smith Punshon, Inc. under the direction of Jerry L. Keller, P.S., Ohio Registration No. 7584. The bearings in the above description are based on The Vintage Club, Phase One, recorded in Plat Book 406, Pages 14-17, Hamilton County Recorder's Office.

I hereby certify that the above description is a complete, proper and legal description of the property to be re-classified herein. Said description is to be used for the purpose of re-classification only, and is not to be used for the transfer of property.



Jerry L. Keller, P.S.  
Ohio Registration # 7584

Prepared by: McGill Smith Punshon, Inc.  
Date: September 26, 2013  
MSP No.: 04308.03

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