

ORDINANCE NO. 7038

AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP TO REZONE CERTAIN PROPERTIES FROM FLOODWAY DISTRICT (FW), RESIDENTIAL (R-1), OR INDUSTRIAL (I-1) TO AGRICULTURAL (A), AGRICULTURAL-RESIDENTIAL (AR), NEIGHBORHOOD BUSINESS (NB-1), RESIDENTIAL (R-1, R-2, R-4), OR INDUSTRIAL (I-2).

WHEREAS, from time to time it is necessary to re-evaluate the zoning designation of certain parcels to determine if the existing zoning designation is appropriate for the current and expected future use of the parcels; and,

WHEREAS, many parcels along the Great Miami River were found to be designated with an inappropriate zoning designation given their current and future expected use; and,

WHEREAS, many parcels also hold the zoning designation of Floodway (FW) District on the Official Zoning Map which is no longer listed as an established zoning district in §1240.01 of the City of Miamisburg Code of Ordinances; and

WHEREAS, there is a general desire to appropriately zone these parcels to minimize instances of non-conformity with regards to the land use regulations; and,

WHEREAS, assigning a more appropriate zoning designation for these parcels will promote the health, safety, and general welfare of the community by allowing use of the property in a manner more reflective of its current and future expected use; and

WHEREAS, the City of Miamisburg Planning Commission conducted a Public Hearing on the proposed Ordinance in accordance with the provisions set forth in the City Charter and the Planning and Zoning Code.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MIAMISBURG, STATE OF OHIO, TWO-THIRDS OF THE ELECTED MEMBERS THERETO CONCURRING THAT:

Section 1.

The subject parcels, as illustrated in Exhibit A, shall hereby be rezoned on the Official Zoning Map.

Section 2.

The Official Zoning Map is subsequently amended, attached to and made a part of Ordinance No. 2712, to reflect the foregoing rezoning classification contained herein and the City Manager is authorized and directed to cause said rezoning to be reflected on the Official Zoning Map.

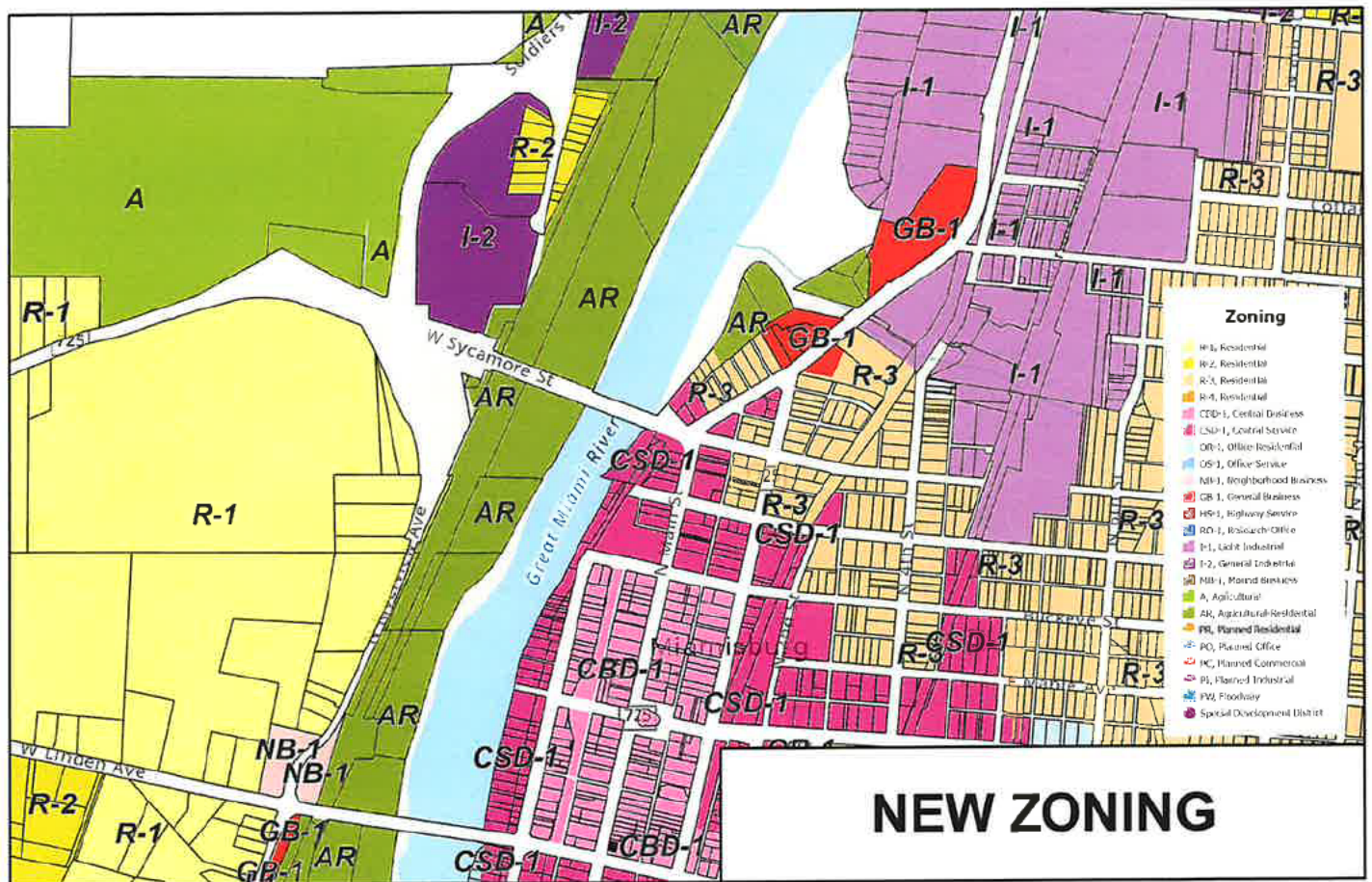
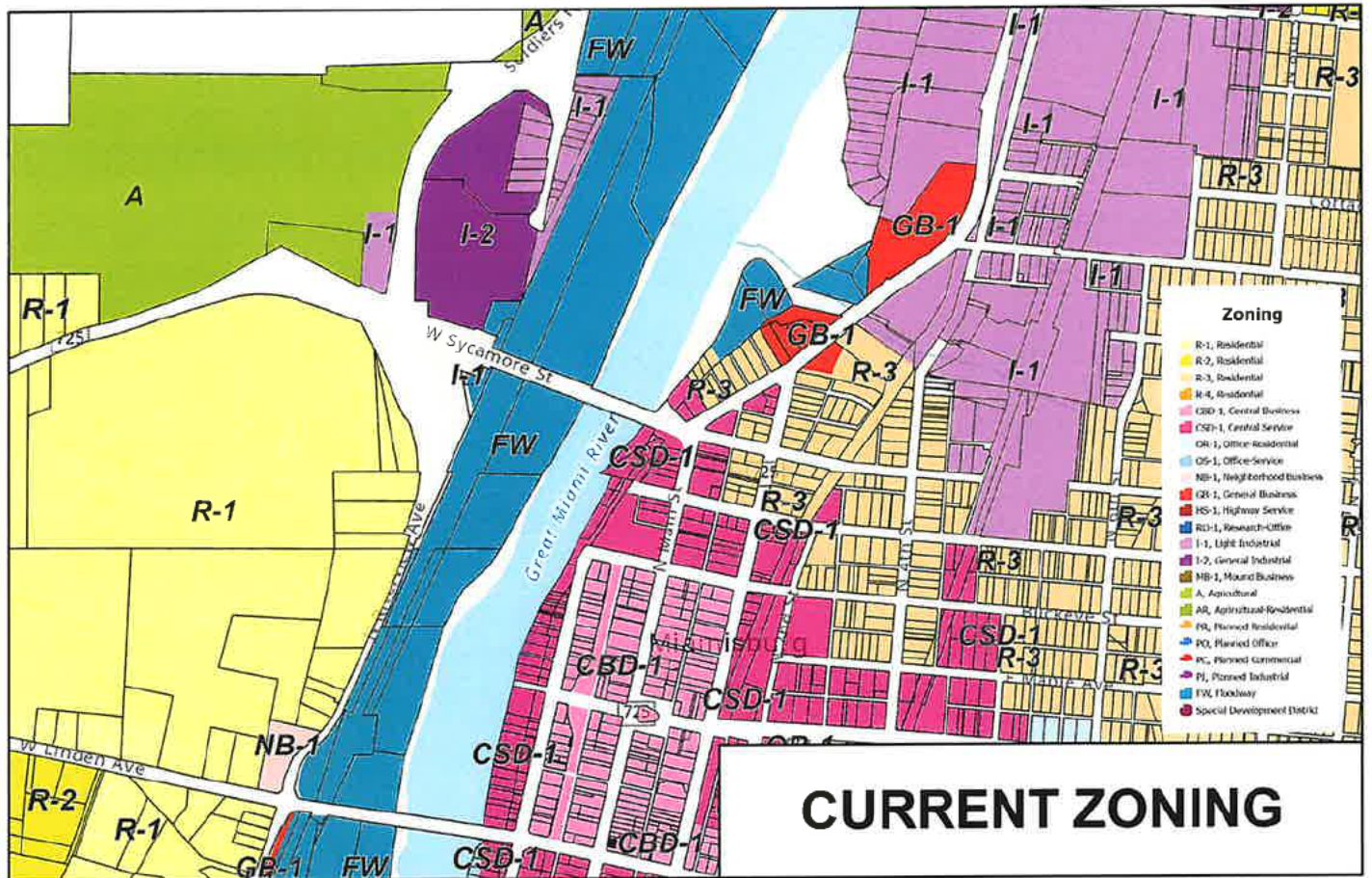
Section 3.

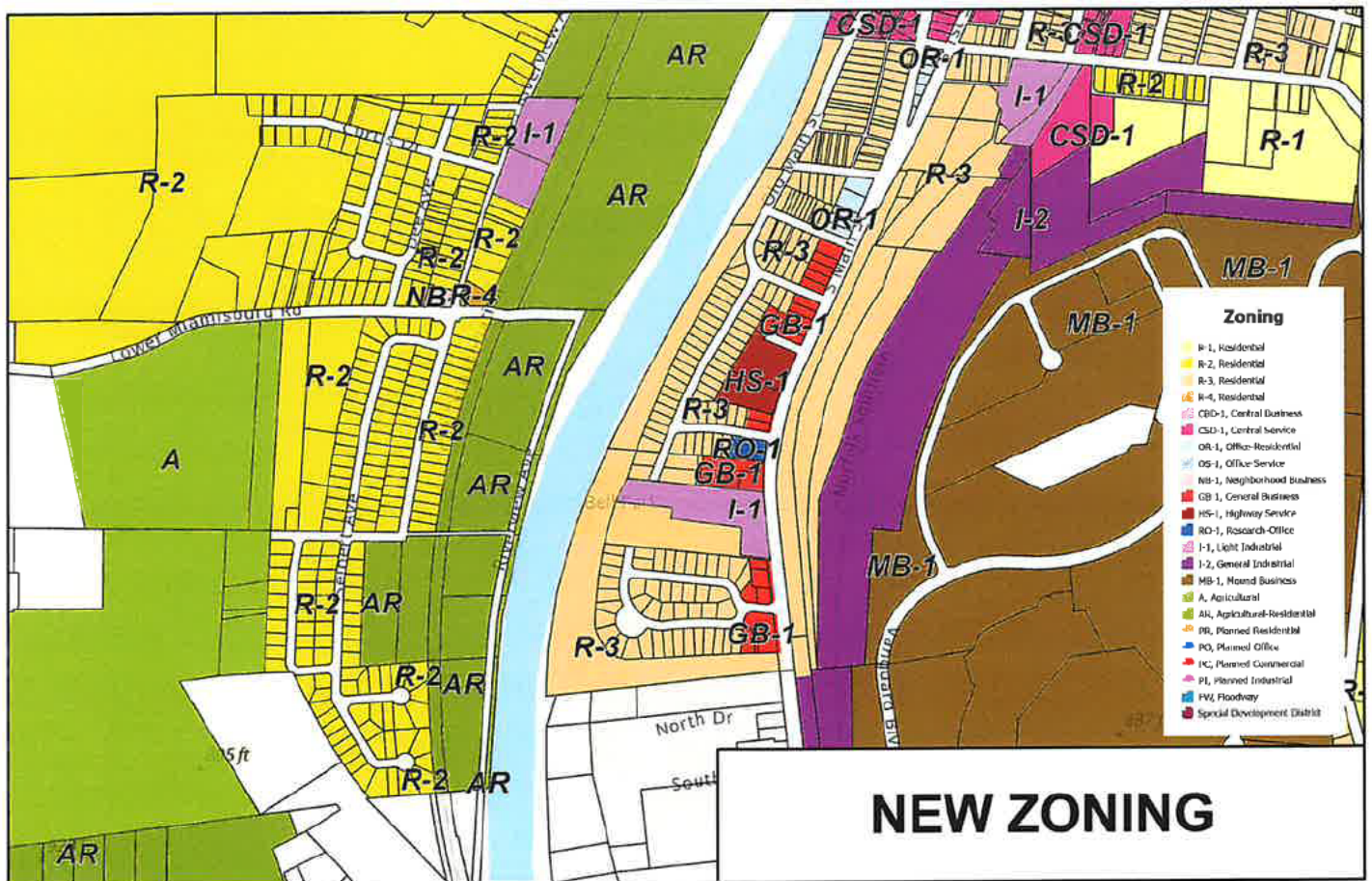
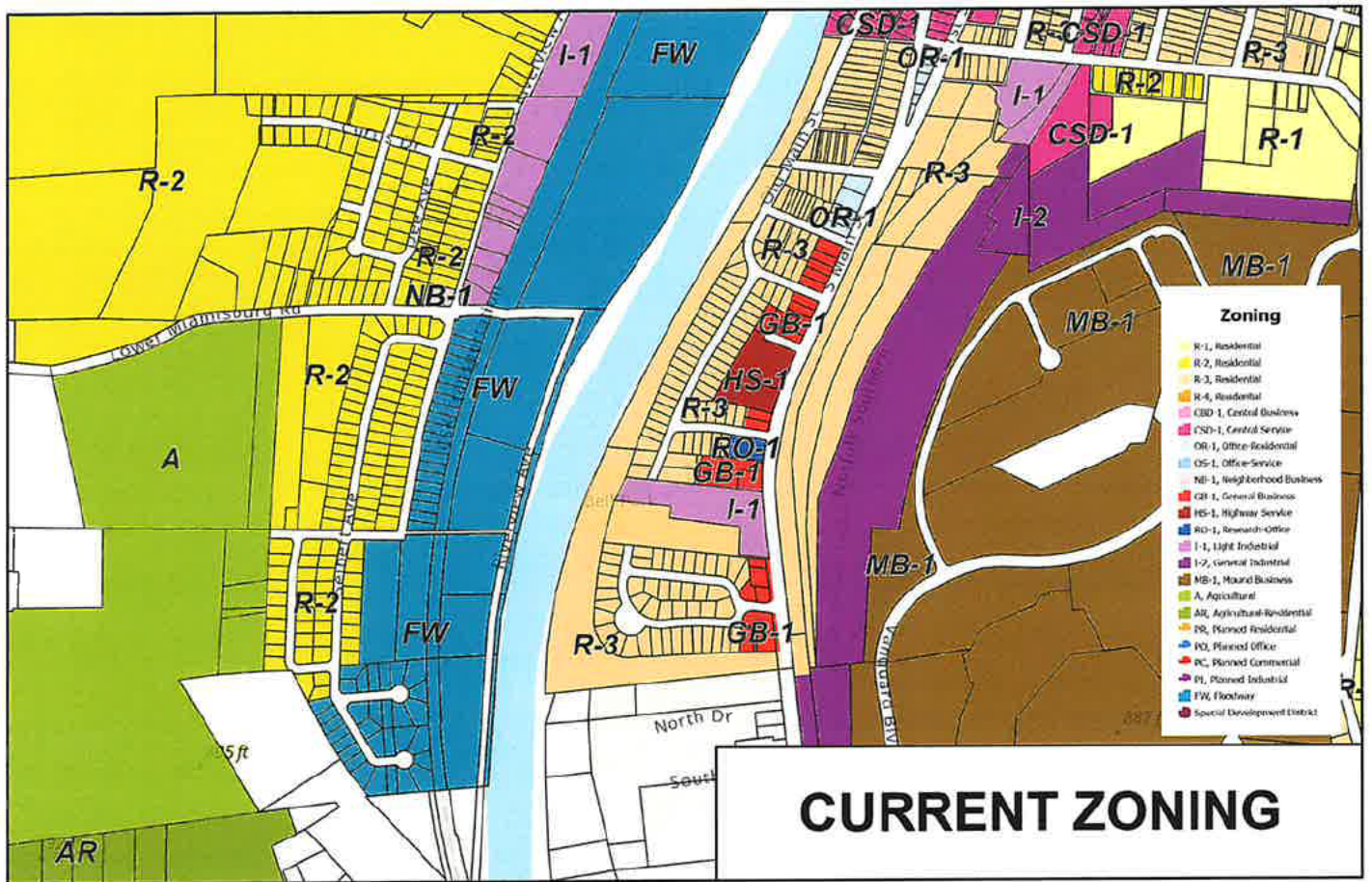
This measure shall take effect and be in full force from and after the earliest period allowed by law.

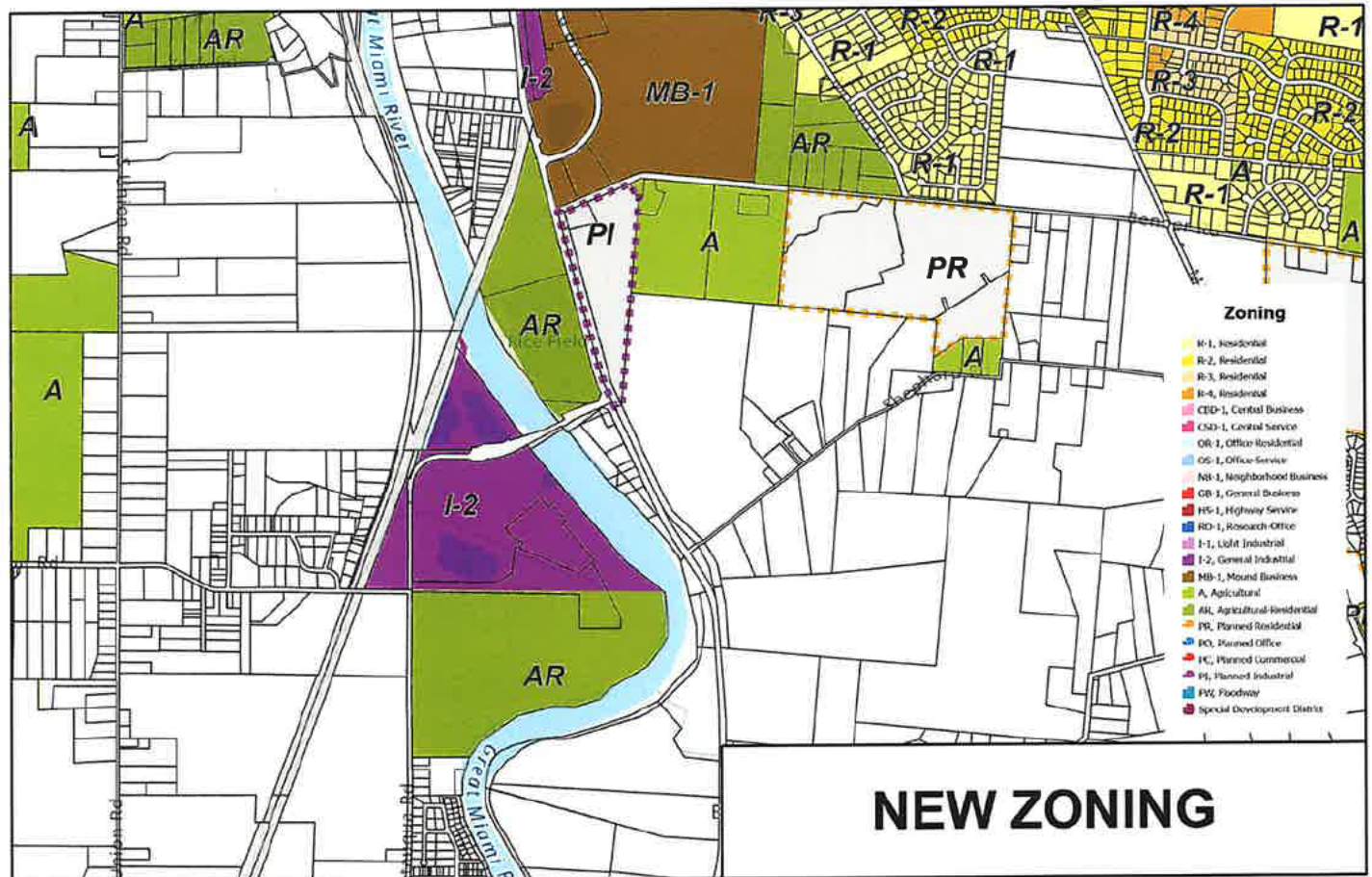
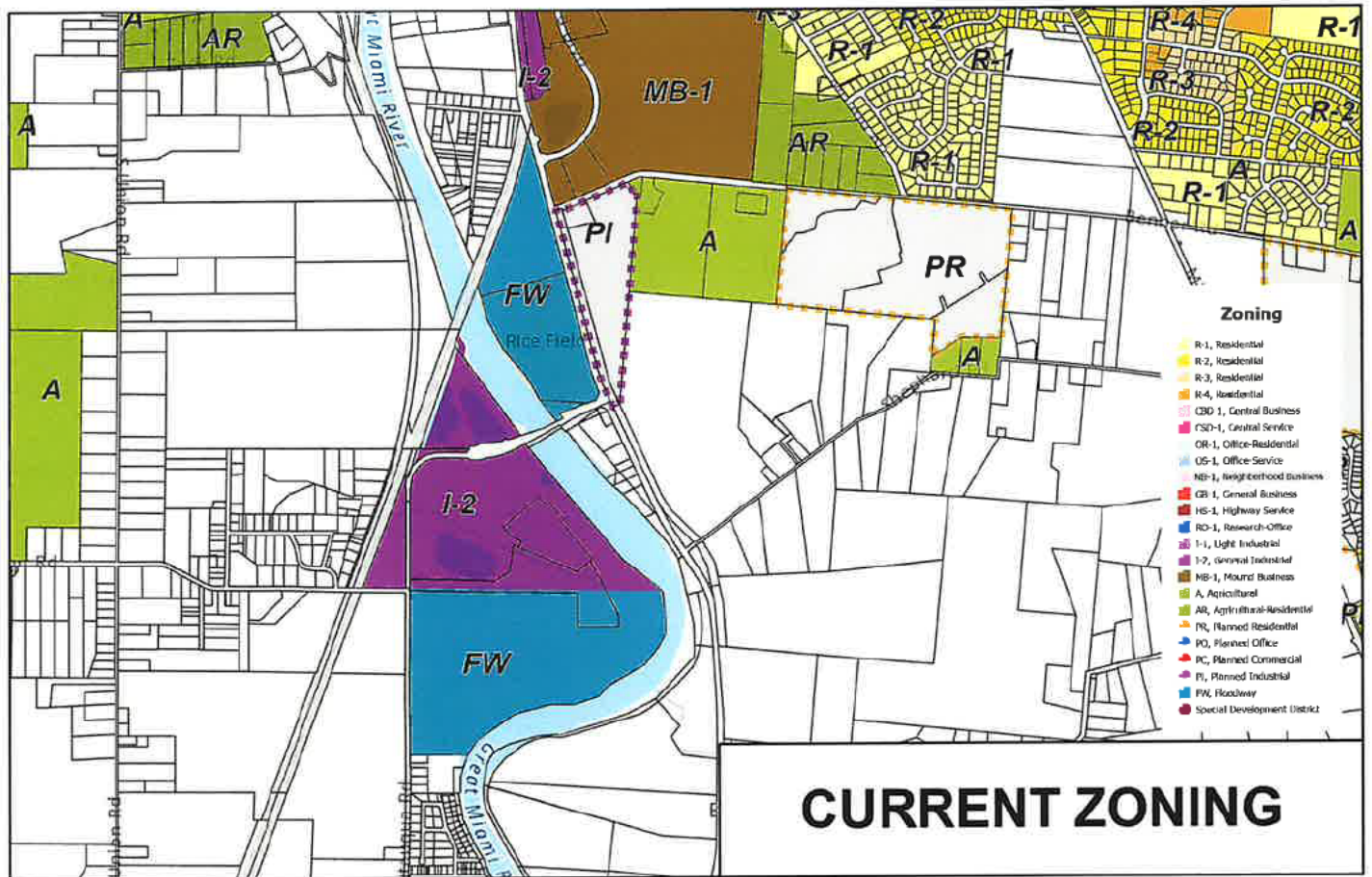
Passed: October 17, 2023 Attested: 
Kim Combs, Clerk of Council

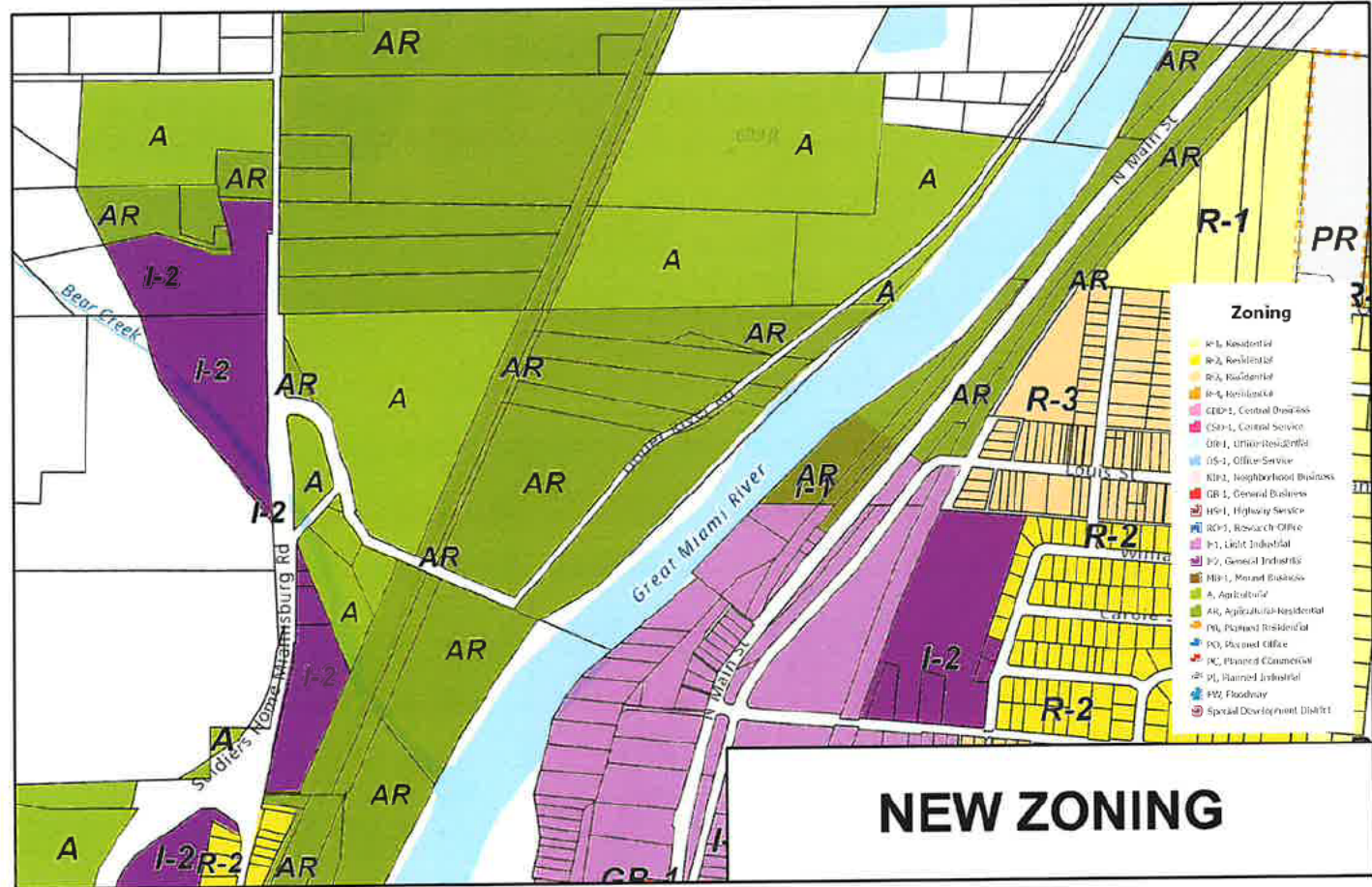
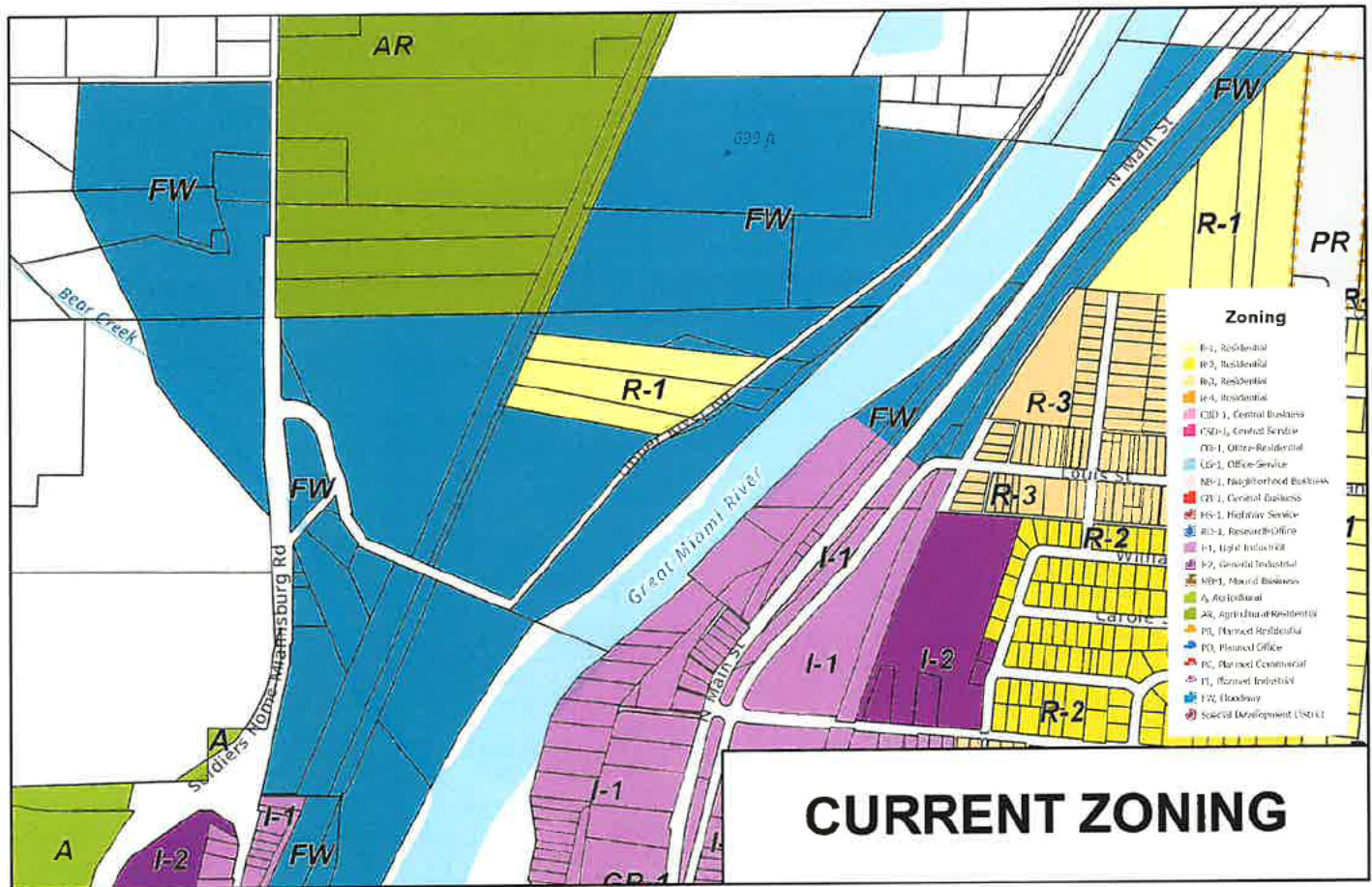
Approved: 
Michelle L. Collins, Mayor

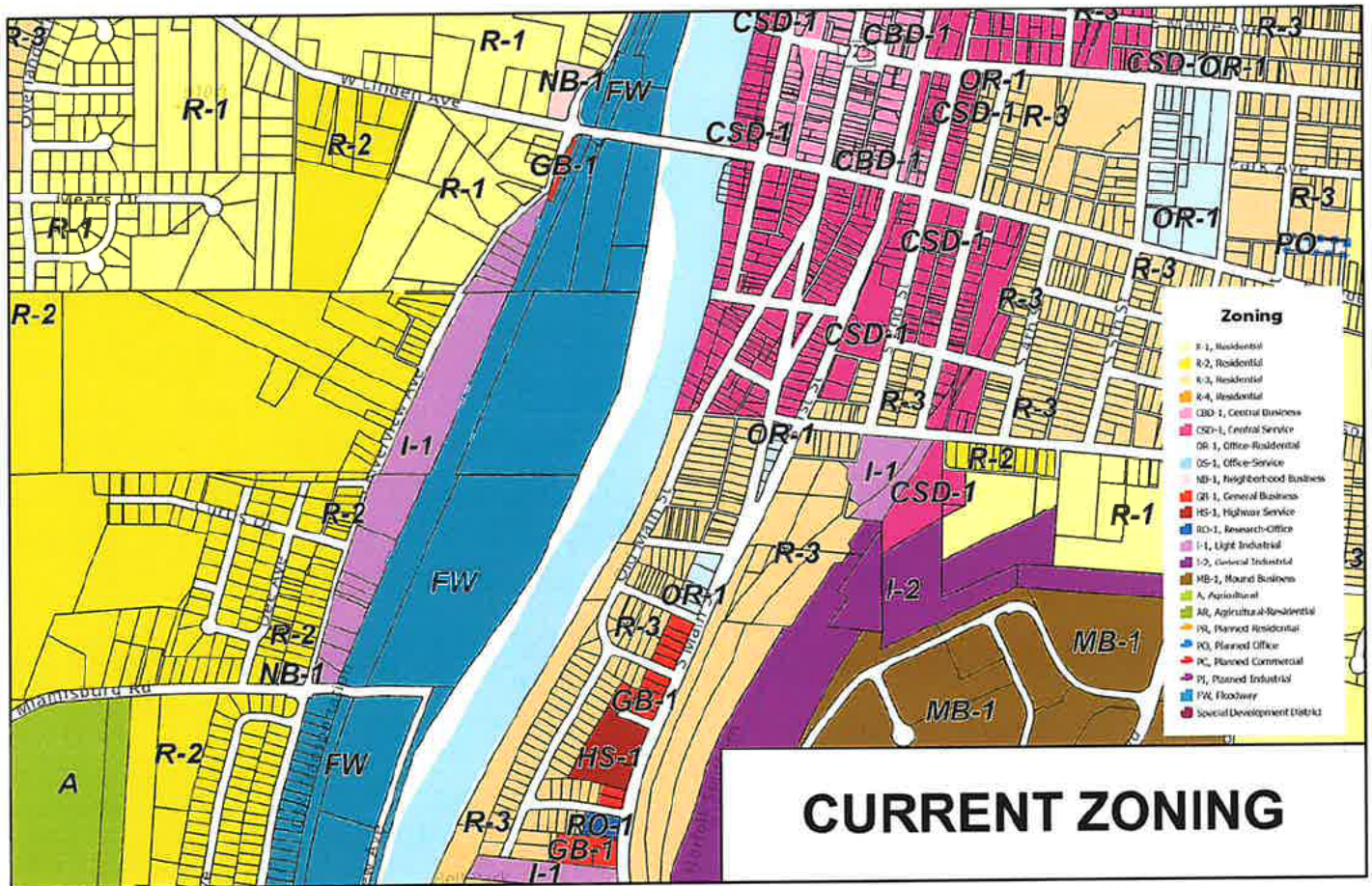
EXHIBIT A



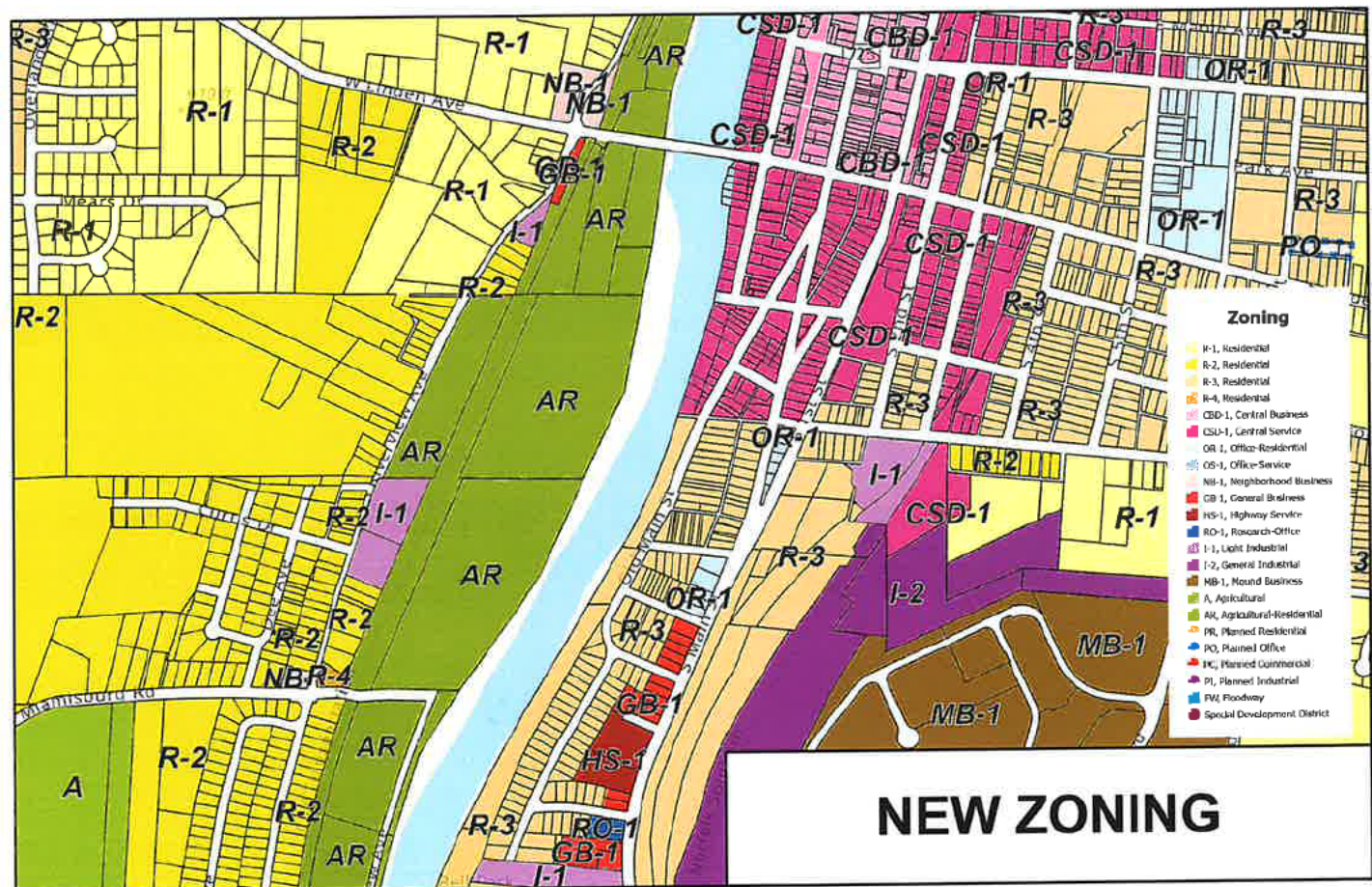








CURRENT ZONING



NEW ZONING

OFFICIAL ZONING MAP

City of Miamisburg, Ohio

November, 2023

ZONING CLASSIFICATION

- R-1, Residential
- R-2, Residential
- R-3, Residential
- R-4, Residential
- CBD-1, Central Business
- CSD-1, Central Service
- OR-1, Office-Residential
- OS-1, Office-Service
- NB-1, Neighborhood Business
- GB-1, General Business
- HS-1, Highway Service
- RO-1, Research-Office
- I-1, Light Industrial
- I-2, General Industrial
- MB-1, Mound Business
- A, Agricultural
- AR, Agricultural-Residential
- PR, Planned Residential
- PO, Planned Office
- PC, Planned Commercial
- PI, Planned Industrial
- Special Development District
- WF-1, Wellfield Protection Overlay
- FH, Flood Hazard Overlay
- AO, Austin Center Overlay



Development Department
20 E. Central Avenue
Miamisburg, OH 45342
937-847-6532



ORDINANCE NO. 7042

AN ORDINANCE TO CERTIFY SPECIAL ASSESSMENTS FOR THE REPAIR OF CURBS, GUTTERS AND SIDEWALKS IN THE CITY OF MIAMISBURG, MONTGOMERY COUNTY, OHIO, TO THE COUNTY AUDITOR OF SAID COUNTY FOR THE COLLECTION THEREOF AND DECLARING AN EMERGENCY.

WHEREAS, the Council of the City of Miamisburg, Montgomery County, Ohio, has heretofore by proper resolution declared the necessity for the repair of certain curbs, gutters and sidewalks in said city, given proper notice thereof and contracted all work necessary for said repair pursuant to Chapter 729 of the Revised Code of Ohio; and

WHEREAS, all the repair of certain curbs, gutters and sidewalks aforesaid has been completed as required by law, and the special assessments therefore have been levied pursuant to Resolution No. 2989 duly adopted by the Council of the City of Miamisburg, and

WHEREAS, the affected property owners have been notified of the assessment and certain assessments remain unpaid and are to be collected over a period of ten (10) years;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MIAMISBURG, STATE OF OHIO, TWO-THIRDS OF THE ELECTED MEMBERS THERETO CONCURRING, THAT:

Section 1.

All unpaid assessments in the amounts and for the benefit of the respective properties listed in Exhibit A to this Ordinance, which Exhibit A is hereby expressly made a part of this Ordinance, are to be placed upon the tax duplicate by the County Auditor of Montgomery County, Ohio, and collected as other taxes are collected by the County Treasurer of Montgomery County, Ohio, as provided by law.

Section 2.

Pursuant to Section 319.61 of the Revised Code of Ohio, a copy of this Ordinance with Exhibit A shall be certified to the County Auditor of Montgomery County, Ohio, by the Clerk of Council within twenty (20) days of its adoption together with a copy of the resolution levying said special assessments.

Section 3.

This measure is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare and for the further reason that Council authorization is needed at the earliest possible date, to meet the assessment deadline of the Montgomery County Auditor's Office; therefore, this measure shall take effect and be in force from and after its passage.

Passed: October 17, 2023

Attested: _____

Kim Combs

Kim Combs, Clerk of Council

Approved: _____

Michelle L. Collins

Michelle L. Collins., Mayor

EXHIBIT A
2022 SIDEWALK, CURB & GUTTER PROGRAM

ADDRESS	PARCEL ID NO./LOT NO.	AMOUNT
1803 Belvo Road	K46 00713 0006, 3591	\$3,480.00
1332 Cherry Hill Drive	K46 01003 0003,4491	\$1,567.00
521 Dunaway Street	K46 00804 0005, 3901	\$2,710.50
606 Dunaway Street	K46 00804 0010, 3906	\$4,921.50
607 Dunaway Street	K46 00804 0004, 3900	\$2,335.00
702 Dunaway Street	K46 00701 0018, 3690	\$1,836.50
722 Dunaway Street	K46 00701 0019, 3691	\$2,279.00
723 Dunaway Street	K46 00701 0017, 3689	\$4,209.00
744 Dunaway Street	K46 00701 0020, 3692	\$872.00
755 Dunaway Street	K46 00701 0008, 3343	\$1,334.50
766 Dunaway Street	K46 00701 0021, 3693	\$5,911.50
802 Dunaway Street	K46 00701 0004, 3339	\$1,708.50
803 Dunaway Street	K46 00701 0007, 3342	\$2,466.50
806 Dunaway Street	K46 00701 0003, 3338	\$2,230.50
807 Dunaway Street	K46 00701 0006, 3341	\$4,344.25
810 Dunaway Street	K46 00701 0002, 3337	\$2,050.50
811 Dunaway Street	K46 00701 0005, 3340	\$836.50
903 Dunaway Street	K46 00713 0004, 3589	\$2,945.50
906 Dunaway Street	K46 00713 0005, 3590	\$5,692.00
911 Dunaway Street	K46 00713 0002, 3587	\$1,930.00
915 Dunaway Street	K46 00713 0001, 3586	\$4,404.00
26 Hoover Avenue	K46 00337 0052, 1776	\$456.00
30 Linden Avenue	K46 00329 0028, PTS 1, 2 3-29-93	\$2,908.10
919 Main Street S.	K46 00337 0040, 1604	\$20,140.00
131 Mall Woods Drive	K46 01315 0042, PT 5686	\$2,664.00
123 Miami Avenue S.	K46 00329 0076, 696 PT	\$1,728.00
132 Miami Avenue S.	K46 00329 0084, 169 PT	\$3,757.00
134 Miami Avenue S.	K46 00329 0023, 170	\$868.00
2859 Miamisburg Centerville Road	K46 01411 0001, 5836	\$11,767.00
705 Old Main Street	K46 00337 0097, 1821	\$1,176.00
708 Old Main Street	K46 00337 0053, 1777	\$384.00
712 Old Main Street	K46 00337 0054, 1778	\$1,804.50
713 Old Main Street	K46 00337 0095, 1819	\$4,796.00
716 Old Main Street	K46 00337 0055, 1779	\$1,080.00

717 Old Main Street	K46 00337 0094, 1818	\$2,040.00
805 Old Main Street	K46 00337 0092, 1816	\$1,858.50
806 Old Main Street	K46 00337 0057, 1781	\$1,152.00
809 Old Main Street	K46 00337 0091, 1815	\$336.00
813 Old Main Street	K46 00337 0090, 1814	\$2,016.00
814 Old Main Street	K46 00337 0059, 1783	\$1,496.75
818 Old Main Street	K46 00337 0060, 1784	\$432.00
821 Old Main Street	K46 00337 0088, 1812	\$4,213.25
822 Old Main Street	K46 00337 0061, 1785	\$1,893.00
901 Old Main Street	K46 00337 0087, 1811	\$3,811.00
902 Old Main Street	K46 00337 0062, 1786	\$2,363.25
905 Old Main Street	K46 00337 0086, 1810	\$2,945.25
906 Old Main Street	K46 00337 0063, 1787	\$1,485.50
909 Old Main Street	K46 00337 0085, 1809	\$1,392.00
914 Old Main Street	K46 00337 0065, 1789	\$2,311.50
917 Old Main Street	K46 00337 0083, 1807	\$3,444.75
918 Old Main Street	K46 00337 0066, 1790	\$240.00
1001 Old Main Street	K46 00337 0079, 1803	\$4,212.50
1002 Old Main Street	K46 00337 0076, 1800	\$5,400.00
1005 Old Main Street	K46 00337 0078, 1802	\$1,073.25
1009 Old Main Street	K46 00337 0077, 1801	\$480.00
19 South Street	K46 00337 0070, 1794	\$2,256.00
20 South Street	K46 00337 0071, 1795	\$144.00
23 South Street	K46 00337 0069, 1793	\$144.00
24 South Street	K46 00337 0072, 1796	\$1,451.25
28 South Street	K46 00337 0073, 1797	\$480.00
31 South Street	K46 00337 0067, 1791	\$432.00
36 South Street	K46 00337 0075, 1799	\$2,288.75
253 Springboro Pike N.	K46 01315 0044, PT 5686	\$5,541.60
	TOTAL	\$170,927.45

ORDINANCE NO. 7043

AN ORDINANCE TO CERTIFY SPECIAL ASSESSMENTS FOR THE DELINQUENT CHARGES FOR THE CUTTING AND REMOVAL OF WEEDS, VEGETATION AND/OR GRASS, IN THE CITY OF MIAMISBURG, MONTGOMERY COUNTY, OHIO, TO THE COUNTY AUDITOR OF SAID COUNTY FOR THE COLLECTION THEREOF, AND DECLARING AN EMERGENCY.

WHEREAS, the owner(s) of properties indexed on the list that is attached (Exhibit A) hereto and made a part of this Ordinance being lots along various streets in the municipality, have been provided with written notice to cut and remove weeds, vegetation and/or grass; and

WHEREAS, the owner(s) of properties indexed on the list that is attached hereto (Exhibit A) and made a part of this Ordinance being lots along various street in the municipality have failed to comply with said notices and the City of Miamisburg then caused said cutting and removal of weeds, vegetation and/or grass; and

WHEREAS, all expenses and costs received were paid out of Municipal funds; and

WHEREAS, these delinquent charges can be recovered by certification to the Montgomery County Auditor's Office for placement on the next property tax duplicate of the owner(s) of said property.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MIAMISBURG, STATE OF OHIO, TWO-THIRDS OF THE ELECTED MEMBERS THERETO CONCURRING THAT:

Section 1

All unpaid charges in the amounts and for the benefit of the respective properties listed in Exhibit A to this Ordinance, which Exhibit A is hereby expressly made a part of this Ordinance, are to be placed upon the tax duplicate by the County Auditor of Montgomery County, Ohio, and collected as other taxes are collected by the County Treasurer of Montgomery County, Ohio, as provided by law.

Section 2

Pursuant to Section 319.61 of the Revised Code of Ohio, a copy of this Ordinance with Exhibit A shall be certified to the County Auditor of Montgomery County, Ohio, by the Clerk of Council within twenty (20) days of its adoption.

Section 3

This measure is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare and for the further reason that Council authorization is needed at the earliest possible date to meet the assessment deadline of the Montgomery County Auditor's Office; therefore, this measure shall take effect and be in force from and after its passage.

Passed: October 17, 2023

Attested: Kim Combs
Kim Combs, Clerk of Council

Approved: Michelle L. Collins
Michelle L. Collins, Mayor

CITY OF MIAMISBURG TAX ASSESSMENT
FROM SEPTEMBER 2, 2022 THROUGH OCTOBER 3, 2023
EXHIBIT A

PARCEL ID	PROJECT CODE NUMBER	TAX YEAR	CHARGE
K46 00719 0005	31-500	2023	\$ 3,543.75
K46 00221 0020	31-500	2023	\$ 4,725.00
K46 00221 0021	31-500	2023	\$ 3,937.50
K46 00222 0068	31-500	2023	\$ 3,937.50
K46 00331 0048	31-500	2023	\$ 6,300.00
K46 00904 0032	31-500	2023	\$ 2,756.25
K46 00112 0153	31-500	2023	\$ 525.00
K46 00111 0015	31-500	2023	\$ 2,493.75
K46 00111 0021	31-500	2023	\$ 2,231.25
K46 00335 0047	31-500	2023	\$ 3,937.50
K46 00217 0045	31-500	2023	\$ 787.50
K46 00112 0117	31-500	2023	\$ 3,543.75
K46 00112 0143	31-500	2023	\$ 1,706.25
K46 00408 0003	31-500	2023	\$ 4,331.25
K46 00220 0079	31-500	2023	\$ 3,937.50
K46 00335 0002	31-500	2023	\$ 1,575.00
K46 00606 0015	31-500	2023	\$ 1,575.00
K46 00338 0040	31-500	2023	\$ 1,575.00
K46 00335 0031	31-500	2023	\$ 1,906.15
K46 00424 0021	31-500	2023	\$ 840.00
K46 00508 0025	31-500	2023	\$ 787.50

\$ 56,952.40