

ORDINANCE NO. 55 (24-25)

An Ordinance to amend the Codified Ordinances of the City of Marietta, Ohio, Part Eleven, Planning and Zoning Code, pursuant to section 1139.01 of the Codified Ordinances of the City of Marietta, Ohio in order to change the classification of sixteen (16) separate parcels of real estate, in the area of 700 Channel Lane, in the City of Marietta, Washington County, Ohio, (Tax Parcel Nos.; 24-0096104.000; 24-0096080.000; 24-0096076.000; 24-0096077.000; 24-0096023.000; 24-0001732.000; 24-0001732.000; 24-0001732.000; 24-0021592.000; 24-0023088.000; 24-0023072.000; 24-0023076.000; 24-0023080.000; 24-0096491.000; 24-0096492.000; 24-0096487.000), from a “R-3” General Residential District. to a “C-3” General Retail and Service District.

WHEREAS, Eastern Ohio Newspapers, Inc., 200 S. Fourth Street, Martins Ferry, Ohio 43935-1312, is the owner of the real property located at 700 Channel Lane, Marietta, Washington County, Ohio, hereinafter referred to as the “Subject Property”; and

WHEREAS, Lark, LTD, 15344 Hartford Road, Sunbury, Ohio 43074 purchased the “Subject Property” on April 3, 2024 from Eastern Ohio Newspapers, Inc., as evidenced by a deed recorded in the Office of the Washington County Recorder on April 8, 2024; and

WHEREAS, Lark, LTD intends to potentially develop the “Subject Property” so it may be used for retail, medical, business offices, storage, counseling services, school, fitness facility and/or rehabilitation services; and

WHEREAS, the development of the “Subject Property” will improve the property values of the surrounding real property, increase employment opportunities and tax revenue in the City of Marietta, Ohio; and

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WHEREAS, prior to February 15, 1968, the "Subject Property" was zoned as "R-3" General Residential District; and

WHEREAS, on February 15, 1968, by the passage of Ordinance No. 1 (68-69) the property was re-zoned as a "C-3" Commercial District; and

WHEREAS, the building located at 700 Channel Lane, Marietta, Washington County, Ohio has been used by the Marietta Times since 1970, to-wit: for fifty-three (53) years uninterrupted for the operation of a newspaper company, including advertising sales, newsroom staff, circulation staff, home delivery and retail sales, accounting services, front counter advertising sales and retail sales, commercial print sales, photography, newspaper printing and production, warehousing, and building/property maintenance staff; and

WHEREAS, in 2001, the Council of the City of Marietta, passed legislation to again re-zone the area of Channel Lane, and the land was returned to its original classification of a "R-3" General Residential District; and

WHEREAS, the "Subject Property" remains currently zoned as a "R-3" General Residential District; and

WHEREAS, the use regulations within a "R-3" General Residential District do not permit commercial business to operate within a "R-3" General Residential District; and

WHEREAS, the use regulations within a "C-3" General Retail and Service District allow retail, business or professional offices, schools of cosmetology and accessory uses; and

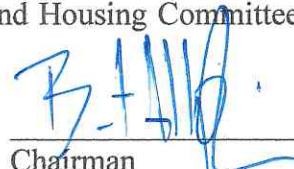
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24-0096487.000).

Section 2: That the Director of Public Safety and Service, or his designee, shall be and is hereby authorized and directed to make said change on the official zoning map of the City of Marietta, Ohio.

Section 3: That this Ordinance shall take effect and be in full force from and after the earliest time allowed by law.

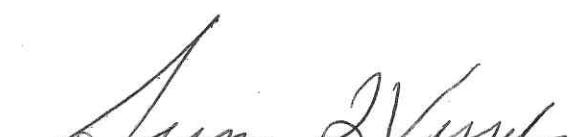
Introduced by the Planning, Zoning, Annexation and Housing Committee, Bret Allphin,  
Chairman.

  
Chairman

  
Chairman, Planning Commission

Recommended / Not Recommended

Passed this 3<sup>rd</sup> day of July, 2024.

  
President of Council

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ATTEST:

Michele Newbanks  
Clerk of Council

Approved this 3<sup>rd</sup> day of July, 2024.

J. W. Weller  
Mayor

CERTIFICATE OF PUBLICATION

The undersigned hereby certifies that a succinct summary of the foregoing Ordinance was duly published pursuant to Ohio Revised Code Section 731.21 and 731.22 in the Marietta Times, a newspaper published and of general circulation in the City of Marietta, Ohio, on the following days:

Michele Newbanks  
Michele Newbanks, Clerk of Council

First Reading April 18, 2024

Second Reading June 20, 2024

Third Reading July 3, 2024

# Exhibit "A"

