

RECORD OF LEGISLATION

No. 01.03.2026

Passed 1-20, 20 26

AN ORDINANCE TO AMEND THE ZONING DISTRICT OF 0 NORTH COURT STREET (PARCEL #A37-0-001-00-003-01) FROM AG (AGRICULTURAL) DISTRICT TO CS (COMMUNITY SERVICE) DISTRICT.

WHEREAS, the City of Circleville Planning & Zoning Commission recommended to Circleville City Council, rezoning of 0 North Court Street (Parcel #A37-0-001-00-003-01) from AG (Agricultural) District to CS (Community Service) District; and

WHEREAS, there was a public hearing held on November 5, 2025, by Circleville Planning & Zoning Commission and made a recommendation for approval of the rezoning; and

WHEREAS, there was a public hearing held on December 16, 2025, by Circleville City Council, to hear comments on the proposed rezoning.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CIRCLEVILLE, COUNTY OF PICKAWAY, STATE OF OHIO AS FOLLOWS:

SECTION I: That the approved Zoning Map, established by Ordinance No. 02-13-2023, passed February 21, 2023, and as subsequently amended, be and the same hereby is revised in the following manner:

The following described property is hereby rezoned from AG (Agricultural) District to CS (Community Service) District

Situated in the City of Circleville, County of Pickaway, and State of Ohio:

Auditor's Parcel # A37-0-001-00-003-01.

Full Description is attached as Exhibit "A"

SECTION II: The Zoning Inspector of the City of Circleville be and hereby is authorized and directed to make said changes on the approved zoning map, as required by Section 1111.02(b)(1)(G) of the Official Zoning Code of the City of Circleville, established by Ordinance No. 02-13-2023, passed February 21, 2023.

SECTION III: That this ordinance shall take effect and be in force at the earliest period allowed by law.

PASSED: 1-20-2026
DATE

Bryan D. Kell
PRESIDENT OF COUNCIL

ATTEST: Melinda J. Brun
CLERK OF COUNCIL

APPROVED: 1-20-2026
DATE

Michelle L. Barton
MAYOR

APPROVED AS FORM:

Kendra C. Kinney
KENDRA C. KINNEY - LAW DIRECTOR

RECORD OF LEGISLATION

No. _____

Passed _____, 20 ____



City of Circleville

Department of Public Service
City Administration Building
104 East Franklin Street
Circleville, OH 43113
740-477-8224
www.ci.circleville.oh.us

Application #: 4-25
Date: 9/9/25

Application for Zoning Amendment/Rezoning

A scaled site plan (drawing) showing all property lines, existing structures, and proposed construction with dimensions **must be submitted with application**. All distances between the proposed construction, property lines and other structures must be labeled.

Applicant Name: City of Circleville (Hannah Wynne) Phone #: 740-477-8224

Applicant Address: 104 E Franklin St. E-mail: hwynne@circlevilleoh.gov

Property to be Rezoned:

Address: ON Court St. Parcel #: A3700010000301

Owner: City of Circleville Phone #: 740-477-8224

Owner Address: 127 S Court St.

Property being on the West side of Court street
(North, South, East, West) (Street Name)

Between Marshall Rd and Bell Station Rd
(Street Name) (Street Name)

Current Zoning District: AG Current Land Use: agriculture / wooded

Proposed Zoning District: CS Proposed Land Use: park

Surrounding Land Uses:

North: residential South: residential

East: residential / commercial West: railroad / vacant

Proposed Zoning Code Amendment: (additions use **bold**, deletions use ~~strike through~~. If not applicable, write N/A)

N/A

By signature, I attest to the truth and exactness of all information submitted.

Applicant Signature: [Signature] Date: 9/8/25

Property Owner Signature:

I, Hannah Wynne (Print Name) hereby authorize the applicant/agent listed above to file this application on my behalf and agree to amendment of the same as they deem appropriate.

Owner Signature: _____ Date: _____

Individual subscribed and sworn in my presence this _____ day of _____, 20____

Notary Public Signature: _____ Date: _____

Non-individual property owner's signature: [Signature]

Non-individual subscribed and sworn in my presence this 8th day of September, 2025

Notary Public Signature: [Signature] Date: 9-8-2025

Do not fill below line

Fee Collected: WAIVED By: TYLER CORB Date: 9/9/25

☐ Cash ☐ Credit Card #: _____

☐ Check #: _____ Exp: ____/____ Security Code: _____ ZIP: _____

Name on Card: _____

Address: _____

Signature: _____

Accepted By: TYLER CORB Date: 9/9/25

P&Z Portion

The Planning & Zoning Commission recommends: ☒ Acceptance ☐ Rejection

☐ Acceptance with the following modifications: _____

[Signature] 11/5/25
(P&Z Chairperson) (Date)

Council Portion

City Council Decision: ☐ Acceptance ☐ Rejection

☐ Acceptance with the following modifications: _____

(Council President) (Date)

Zoning Amendments/Rezoning

Section 1113.04 Zoning Amendments

- a) Map and Text Amendments to this Ordinance may be initiated by any of the following methods:
1. By referral of a proposed amendment to the Planning and Zoning Commission from City Council.
 2. By adoption of a motion of the Planning and Zoning Commission
 3. By the filing of a completed application by at least one (1) owner or lessee of property, or his/her designated agent, within the area proposed to be affected by the amendment.

Each year the City of Circleville Planning and Zoning Commission shall adopt a Zoning Amendment Schedule, which shall include monthly submittal deadlines for zoning amendment applications. The submittal deadline immediately following the submission of a completed application, as determined by the Zoning Inspector, shall be considered the "submittal date" of said application.

Please acknowledge that you have read and understand the above:

Applicant Signature: 

Date: 9/8/25

Zoning Amendment/Rezoning Application Checklist

Property Address: 0 N Court St Parcel #: A3700010000301

- ☒ ^{one} Three paper copies of the application submitted to the City of Circleville
- ☒ One electronic copy of the application submitted to the City of Circleville
- ☐ Proposed text changes to the zoning code included in application (if applicable)
- ☒ Proposed map changes, which include the following:
 - ☒ Legal description, prepared, signed and stamped by a surveyor registered in the State of Ohio, of the Tract to be rezoned including all parcels within said Tract (an existing legal description on file with the Pickaway County Recorder's office may be utilized to meet this requirement).
 - ☒ Map showing the Tract and surrounding properties within 200 feet of that shows property lines of the Tract and surrounding parcels.
 - ☒ List of property owners(s) within 200 feet, contiguous to, and directly across the street from the Tract to be rezoned and their addresses as they appear on the Pickaway County Auditor's current tax list (this requirement may be waived when the Tract proposed to be rezoned includes more than ten (10) parcels) (see attached example)

The example map shows a tract located at 1512 S COURT ST, CIRCLEVILLE, OHIO. The map includes a legend, a list of property owners, and a map of the area. The map shows the location of the tract and surrounding properties within 200 feet.

- ☐ Traffic study, signed and sealed by a professional Engineer (if applicable)

Traffic study is required if the uses permitted within a proposed zoning amendment can generate one hundred (100) or more a.m. or p.m. peak hour trips and/or more than five (500) hundred or more daily vehicle trips or when otherwise required by the Service Director.

- ☒ A narrative statement explaining how the proposed changes will impact the adjacent neighborhood and the City as a whole

- ☐ Paid application fee

Application Timeline

For general guidance only – timeline not to be used for regulatory purposes.



0 N Court St - properties within 200 ft

Property	Owner	Tax Mailing Address 1	Tax Mailing Address 2
2179 N Court St	David E White III	27170 Kingston Pk	Circleville, OH 43113
2179 N Court St	William Baker Jr	2179 N Court St	Circleville, OH 43113
2215 N Court St	Bruce Allen Sorrell	119 N Washington St	Circleville, OH 43113
0 N Court St	Robert A Kellough	2235 N Court St	Circleville, OH 43113
2242 N Court St	Kathryn Liston	2242 N Court St	Circleville, OH 43113
2176 N Court St	Bialy Wampler Group	155 W Franklin St	Circleville, OH 43113
2150 N Court St	KS Metals Trader LLC	861 Avalon Dr	Pickerington, OH 43147
2146 N Court St	Benjamin Schlichter	9051 Broadway St, Apt. A	Stoutsville, OH 43154
2087 N Court St	Terry L Campbell	2087 N Court St	Circleville, OH 43113
1970 N Court St	Randall Knece	1960 N Court St	Circleville, OH 43113
1931 N Court St	Forestar Real Estate Group Inc	10700 Pecan Park Blvd., Suite 150	Austin, TX 78750

0 N Court St Rezoning Narrative

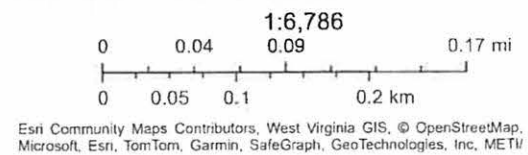
The purpose of this rezoning is to use the property for a community park. The City received funding from the Ohio Public Works Commission (OPWC) through the Clean Ohio program to purchase 2 properties for park land. This property must be utilized for 'passive recreation' per the grant agreement. The City's plan is to run trails throughout the property and connect them to the trail at River Ridge and eventually down N Court St back into town. Future improvements may include restrooms, a dog park and/or disc golf.

We hope this will have a positive impact on the adjacent neighborhood and the City as a whole by providing more opportunities for recreation. There is a direct positive correlation between being outside/active and physical and mental health. We also feel that preserving this land as park land will be much more beneficial for the surrounding neighbors than leaving the property sit in a partially farmed/partially vacant state.

N Court St Property



6/13/2024



202500003332 Pages: 7 Receipt #: 221671
Filed for Record in PICKAWAY County, Ohio
Sarah E. Turner, Recorder
05/28/2025 12:57 PM Recording Fees: \$99.00
DEED OR 818 / p2961 - p2967

APPROVED FOR RECORDING
PICKAWAY COUNTY ENGINEER

BY JBC DATE 5-28-2025

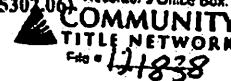
TRANSFERRED NO E197
SEC. 319 202 R.C. COMPLIED A
WITHIN AMT.

MAY 28 2025

BRAD WASHBURN
AUDITOR PICKAWAY COUNTY, OHIO
AC TRANS FEE 209

General Warranty Deed

(pursuant to O.R.C. 5302.01 through O.R.C. 5302.06) Recorder's Office Box:



Daico Dirt LLC, an Ohio limited liability company, for valuable consideration paid, grant(s), with general warranty covenants, to the City of Circleville whose tax mailing address is City of Circleville, 127 South Court Street, Circleville, Ohio 43113, the following described real property:

See Exhibit "A" attached hereto and fully incorporated herein.

Parcel Identification Number: A37-0-001-00-003-01

Property Address: North Court Street, Circleville, OH 43113

Prior Instrument Reference: O.R. Volume 806, Page 3719, Recorder's Office Pickaway County, Ohio.

Subject to all valid and existing building and other restrictions and conditions of record, to all valid and existing zoning restrictions, to all legal highways, to all valid and existing easements of record, and all coal, oil, gas, and other mineral rights and interests previously transferred or reserved of record, if any, and taxes and assessments due and payable after the date of execution hereof.

This deed contains restrictions:

See exhibit "B" attached hereto and fully incorporated herein.

Executed this 8th day of May 2025.

GRANTOR: Daico Dirt LLC, an Ohio limited liability company

By: David Hodge
David Hodge, Authorized Member,
Daico Dirt LLC, an Ohio limited liability company

State of Ohio)
County of Franklin)

The foregoing instrument was acknowledged before me this 8th day of May 2025, by
David Hodge, Authorized Member, Daico Dirt LLC, an Ohio limited liability company.

This is an acknowledgment clause. No oath or affirmation was administered to the
signers with regard to this notarial act.



ELIZABETH CARON
Notary Public, State of Ohio
My Commission Expires
January 26, 2030

Elizabeth Caron
Notary Public

This instrument was prepared by: John C. Ridge, Esq., Ridge Law LLC., 3136 Kingsdale
Center #119, Upper Arlington, Ohio (614) 561-7541

File # CTN-CV-121838

Exhibit A

Situated in the State of Ohio, County of Pickaway, City of Circleville, located in Section 7, Township 11, Range 21, Congress Lands East of Scioto River, being a part of that 83.5425 acre tract of land described in a deed to Darla A. Marshall, of record in Official Record 803, Page 3106, all records referenced herein are on file at the Office of the Recorder for Pickaway County, Ohio, being part of Auditor's Parcel number A37-0-001-00-003-00, a 61.038 acre tract (auditor's acreage), and being more further bounded and described as follows:

Commencing for reference at a MAG spike set at the intersection of the centerline of right-of-way for North Court Street (60' R/W width) with the north line of said Section 7, (reference a 1/2-inch iron pipe found at the northeast corner of the northwest quarter of said Section 7 bearing South 86 degrees 23 minutes 48 seconds East and distant 1,367.95 feet);

Thence along the existing centerline of right-of-way for said North Court Street and its tangent projections, as established based on occupation for the following three (3) described courses:

1. South 23 degrees 53 minutes 29 seconds East, a distance of 118.12 feet to the northeast corner of said 83.5425 acre tract, being the southeast corner of that 0.814 acre tract of land described in a deed to William Baker, Jr., of record in Official Record 763, Page 118, and being on the west line of that 1.023 acre tract of land described in a deed to Bialy Wampler Group, of record in Official Record 738, Page 1413, (reference a MAG nail found bearing South 88 degrees 42 minutes 16 seconds West and distant 0.32 feet), said point being the TRUE POINT OF BEGINNING for this description;

2. South 23 degrees 53 minutes 29 seconds East, along the east line of said 83.5425 acre tract, along the west line of said 1.023 acre tract, along the west line of that 3.771 acre tract of land described in a deed to KS Metals Trader, LLC, of record in Official Record 733, Page 2704, along the west line of that 2.143 acre tract of land described in a deed to Benjamin Schlichter, of record in Official Record 795, Page 1542, a distance of 335.16 feet to a MAG spike set;

3. South 19 degrees 37 minutes 05 seconds East, continuing along the east line of said 83.5425 acre tract and the west line of said 2.143 acre tract, a distance of 3.27 feet to a MAG spike set at a southeast corner of said 83.5425 acre tract, being the northeast corner of that 7.56 acre tract of land described in a deed to Terry L. Campbell, of Official Record 523, Page 1288;

Thence South 78 degrees 27 minutes 38 seconds West, across said North Court Street, along a south line of said 83.5425 acre tract, along the north line of said 7.56 acre tract, a distance of 477.71 feet to a 5/8-inch iron pin with a cap inscribed "MIKE CLARK RLS 6808" found at a southeast corner of said 83.5425 acre tract, being the northwest corner of said 7.56 acre tract;

Thence South 09 degrees 28 minutes 22 seconds East, along an east line of said 83.5425 acre tract, along the west line of said 7.56 acre tract, a distance of 633.90 feet to a northeast corner of said 83.5425 acre tract, being the southwest corner of said 7.56 acre tract, (reference a 1/2-inch iron pin found bearing North 11 degrees 07 minutes 33 seconds East and distant 0.44 feet);

Thence North 76 degrees 20 minutes 38 seconds East, along a north line of said 83.5425 acre tract, along the south line of said 7.56 acre tract, across said North Court Street, (passing a 1/2-inch iron pipe found at a distance of 541.20 feet, a total distance of 571.23 feet to a MAG spike set at a northeast corner of said 83.5425 acre tract, being the southeast corner of said 7.56 acre tract, being on the existing centerline of right-of-way for said North Court Street, and being on the west line of that 62.00 acre tract of land described in a deed to P. Randall Kneze, of record in Official Record 613, Page 690;

Thence South 13 degrees 28 minutes 54 seconds East, along the existing centerline of right-of-way for said North Court Street and its tangent projections, as established based on occupation, along the east line of said 83.5425 acre tract, along the west line of said 62.00 acre tract, a distance of 30.00 feet to a MAG spike set;

Thence across said 83.5425 acre tract, along a new division line, for the following three (3) described courses:

1. South 76 degrees 20 minutes 38 seconds West, across said North Court Street, a distance of 464.95 feet to an iron pin set;
2. South 22 degrees 53 minutes 48 seconds West, a distance of 489.07 feet to an iron pin set;
3. South 71 degrees 47 minutes 15 seconds West, a distance of 303.45 feet to an iron pin set on the existing east railroad right-of-way line for Norfolk Southern Corporation Railroad (Val Map pages V-190-44 and V-190-445), being on the west line of said 83.5425 acre tract;

Thence North 18 degrees 12 minutes 45 seconds West, along the existing east railroad right-of-way line for said Norfolk Southern Corporation Railroad, along the west line of said 83.5425 acre tract, a distance of 1,046.16 feet to a 5/8-inch iron pin with a cap inscribed "MIKE CLARK RLS 6808" found at a southeast corner of the existing railroad right-of-way for said Norfolk Southern Corporation Railroad, being a northwest corner of said 83.5425;

Thence North 74 degrees 47 minutes 59 seconds East, along an existing north railroad right-of-way line for said Norfolk Southern Corporation Railroad, along a south line of said 83.5425 acre tract, a distance of 49.96 feet to an iron pin set at a southeast corner of the existing railroad right-of-way for said Norfolk Southern Corporation Railroad, being a northwest corner of said 83.5425;

Thence North 18 degrees 17 minutes 01 seconds West, along the existing east railroad right-of-way line for said Norfolk Southern Corporation Railroad, along the west line for said 83.5425 acre tract, a distance of 680.67 feet to a 3/4-inch iron pipe found at the northwest corner of said 83.5425 acre tract, being a southwest corner of that 1.674 acre tract of land described in a deed to David E. White III, of record in Official Record 791, Page 2789;

Thence South 86 degrees 00 minutes 29 seconds East, along the north line of said 83.5425 acre tract, along the south line of said 1.674 acre tract, a distance of 709.29 feet to a 2-inch iron pipe

found at the southeast corner of said 1.674 acre tract, being at the southwest corner of said 0.814 acre tract;

Thence South 86 degrees 23 minutes 12 seconds East, continuing along the north line of said 83.5425 acre tract, along the south line of said 1.674 acre tract, a distance of 380.63 feet to the TRUE POINT OF BEGINNING for this description.

The above description contains a total area of 24.628 acres (0.260 acres located within present road occupied).

EXHIBIT "B"

DECLARATION OF RESTRICTIONS

This Declaration of Restrictions (this "Declaration") is made on this 28th day of May, 2025 by the City of Circleville, a municipality, the "Declarant".

RECITALS

Declarant owns certain property located in Pickaway County, Ohio as more particularly described on Exhibit A attached hereto and made a part hereof (the "Property").

Declarant applied for and has received a grant from the State of Ohio, acting by and through the Director of the Ohio Public Works Commission ("OPWC"), pursuant to Ohio Revised Code §164.20 et seq. (the "Grant"). In connection with Declarant's application for the Grant, Declarant proposed to use the Grant funds either for open space acquisition and related development or to protect and enhance riparian corridors, as set forth more specifically in its application.

As a condition to Declarant's receipt of the Grant, Declarant has agreed to restrict the use of the Property as set forth in this Declaration, with the intent that such restrictions run with the land.

For valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Declarant, for itself and its successors and assigns as owners of the Property, hereby agrees as follows:

§1. Use and Improvement Restrictions. Declarant hereby agrees, for itself and its successors and assigns as owners of the Property, which the Property shall be subject to the following but used and improved only for conservation purposes including any approved appurtenances specified below. In addition, all uses and improvements must be in accordance with the applicable sections of the Ohio Revised Code and the Ohio Administrative Code. Any additional uses and improvements not specified below must be approved by the OPWC in writing and approval must be received prior to commencement of any improvements.

Approved uses and improvements for the property include: passive recreation, walking/biking trails, pedestrian bridges, boardwalks, parking areas, restrooms, pavilions-shelter houses, dog parks and disc golf.

§2. Perpetual Restrictions. The restrictions set forth in this Declaration shall be perpetual and shall run with the land for the benefit of, and shall be enforceable by, the OPWC. This Declaration and the covenants and restrictions shall not be amended, released, extinguished or otherwise modified without the prior written consent of the OPWC, which consent may be withheld in its sole and absolute discretion.

§3. Enforcement. If Declarant or its successors or assigns as owner of the Property, as described in Exhibit A, should fail to observe the covenants and restrictions, the Declarant or its successors or assigns, as the case may be, shall pay to the OPWC upon demand from the Director the following: (i) all Grant funds disbursed to the Declarant; and (ii) liquidated damages equal to 100% of the funds disbursed by the OPWC for the Project. Declarant acknowledges and agrees that (a) it is extremely difficult and impractical to ascertain the extent of the damages caused by a breach of the covenants and restrictions set forth in this Declaration; (b) the provisions of this Declaration are unique and money damages would not provide an adequate remedy for any breach thereof; and (c) the remedies set forth in this Section 3 are reasonable and appropriate and are a specifically-bargained-for material inducement for and condition to, without limitation, the OPWC making the Grant to Declarant. Notwithstanding anything in this Declaration or any other document, agreement or application executed or delivered in connection with the Grant to the contrary, the covenants and restrictions set forth in this Declaration shall continue in full force and effect notwithstanding Declarant's payment of the liquidated damages contemplated in this Section 3, and the OPWC's receipt of any such liquidated damages payment shall not be construed as a release or waiver of the covenants and restrictions set forth in this Declaration. The OPWC shall have the right to enforce, by any proceedings at law or in equity, all restrictions, conditions and covenants set forth herein. Failure by the OPWC to proceed with such enforcement shall in no event be deemed a waiver of the right to enforce later the original violation or a subsequent violation.

§4. **Restriction on Transfer of the Property.** Declarant acknowledges that the Grant is specific to Declarant and that the OPWC's approval of Declarant's application for the Grant was made in reliance on Declarant's continued ownership and control of the Property. Accordingly, Declarant shall not voluntarily or involuntarily sell, assign, transfer, lease, exchange, convey or otherwise encumber the Property including, without limitation, surface rights or interests or rights or interests in soil, sand, gravel, oil, natural gas, minerals or other materials, or interests in or control of Declarant, without the prior written consent of the OPWC, which consent may be withheld in its sole and absolute discretion.

§5. **Separability.** Each provision of this Declaration and the application thereof to the Property are hereby declared to be independent of and severable from the remainder of this Declaration. If any provision contained herein shall be held to be invalid or to be unenforceable or not to run with the land, such holding shall not affect the validity or enforceability of the remainder of this Declaration.

§6. **Notices.** Notices or other communication hereunder shall be in writing and shall be sent certified or registered mail, return receipt requested, or by other national overnight courier company, or personal delivery. Notice shall be deemed given upon receipt or refusal to accept delivery. Each party may change from time to time their respective address for notice hereunder by like notice to the other party. The notice addresses of the parties are as follows:

Declarant: City of Circleville
James A. Stanley, Director of Public Service
104 E Franklin St.
Circleville, OH 43113

OPWC: Ohio Public Works Commission
P.O. Box 224
Pataskala, OH 43062
Attn: Director

§7. **Governing Law.** This Declaration shall be governed by and construed in accordance with the laws of the State of Ohio.

IN WITNESS WHEREOF, the Declarant has caused this Declaration of Restrictions to be executed this 28th day of May, 2025

DECLARANT:
City of Circleville

By: [Signature]
Name: James A. Stanley
Title: Director of Public Service

STATE OF OHIO)
COUNTY OF Pickaway) SS

The foregoing instrument was acknowledged before me this 28 day of May, 2025 by JAMES A STANLEY, the DIRECTOR of PUBLIC SERVICE, a DECLARANT, on behalf of the CITY OF CIRCLEVILLE

[Signature]
Notary Public

This instrument was prepared by: City of Circleville
Attachment: Legal Description of Property
202500003332
COMMUNITY TITLE NETWORK
BOX



BRENDA K SHORT
Notary Public
State of Ohio
My Comm. Expires
January 23, 2028