

**RESOLUTION HOLDING PUBLIC HEARING IN THE MATTER OF THE PROPOSED ANNEXATION OF CERTAIN TERRITORY IN THE TOWNSHIP OF GENEVA TO THE CITY OF GENEVA, MICHELLE YANUL PROPERTY, PERMANENT PARCEL NUMBER 17-024-00-049-02**

WHEREAS, This being the date set by the Board of Ashtabula County Commissioners on its Journal of December 20, 2022 by Resolution Number 2022-546, for the public hearing on the matter of annexation of territory in the Township of Geneva to the City of Geneva as petitioned by Gary L. Pasqualone, Agent for petitioner Michelle Yanul. The hearing was opened at 11:00 a.m.; and

WHEREAS, The Clerk of the Board testified the following:

- The petition was filed by Gary L. Pasqualone, Curry & Pasqualone Attorneys at Law, 302 South Broadway St., Geneva, OH 44047, Agent, for Petitioners in the Board's Offices on December 14, 2022.
- A check for \$325.00 was received by the County from the Agent on January 3, 2023.
- Resolution No. 2022-545 entered the petition on the journal of the Board on December 20, 2022.
- Resolution No. 2022-546 set the date and time of public hearing for the annexation on December 20, 2022.
- The map and petition were filed with the County Engineer on December 20, 2022.
- The Agent, Gary L. Pasqualone, was notified of the date and time of the hearing on December 20, 2022.
- On December 22, 2022 the Engineer's report was received by the Board Clerk.
- On January 24, 2023, a notarized affidavit that notices were mailed to all property owners in the territory and adjacent property owners of hearing was filed with the Board Clerk.
- On January 25, 2023, the Affidavit of Publication was received via regular mail by the Clerk of the Board.
- Resolution No. 3568 was adopted by the City of Geneva stating that city services shall be provided to the territory consisting of 5.75 acres on Ansel Road, Geneva Township, Ashtabula County, Ohio owned by Michelle Yanul within thirty (30) days of the approval of annexation by the Ashtabula County Commissioners, and to declare an emergency

WHEREAS, Tom Partridge, Chief Deputy Engineer read the Engineer's report as follows:

December 22, 2022

Ashtabula County Commissioners  
25 West Jefferson St.  
Jefferson, OH 44047

Re: Petition for Annexation: Yanul- Geneva City

Dear Board,

We have reviewed the petition and found the following:

- A. The petition as submitted 12/14/2022 includes an accurate description and map.
- B. The parcel to be annexed is owned by Michelle Yanul.
- C. The description has the acreage of the parcel as 5.7706
- D. The Engineer's office found the survey meets ORC 4733 requirements, and is now part of the deed of record for Michelle Yanul.
- E. The current tax map and Deed Vol. 750 Page 428-430 (PPN: 17-024-00-049-02) have the acreage as 5.7706, this shall be assigned a Geneva City PPN once annexation is complete

- F. As shown on the map submitted with the description to our office, the annexation of this parcel will not create an island. The parcel is adjacent and contiguous with the City of Geneva.

Sincerely, Tom Partridge Chief Deputy Engineer; and

WHEREAS, the following persons were in attendance at the public hearing and the following comments were heard:

Gary Pasqualone, Agent for Petitioner Michelle Yanok stated in accordance 709.023 he is the Agent and also the Solicitor with the City of Geneva and the ORC allows this. The petition meets requirements 709.021, is contiguous within the property boundaries, does not create an island, and provides required services. He has complied with 709.023 with notification of all adjoining property owners. It is his understanding Ms. Yanul intends to build a residence there and feels city services will be beneficial. The Zoning Inspector is present and will pass another resolution if the Commissioners accept this petition for annexation. Mr. Pasqualone has spoken with the Chairman of Geneva Township Trustees and they are in favor, with no written objection to the request.

Joe and Sylvia Oboczky both expressed they are not opposed to the annexation, they are concerned with water and drainage issues on theirs and neighboring properties, as they feel there is a serious wetland back there. They have previously consulted the City regarding drainage issues with no solution, as it is part of the township. They are in favor of the petitioner building a house, if they walk the property it is under water, at least 300-400 ft. from their property line and there is a creek that takes a slight diagonal turn toward an apartment complex. Mr. Nathan Paskey from Soil & Water Conservation District is coming to look at their property. The lady next door is underwater and disabled. They want to improve their property, as long as they come up with remediation to relieve the two properties.

Gary Pasqualone replied to the concerns that have also been expressed to city council, until this passes the city has no control of the situation. The problem to have it fixed will perhaps become an issue for the city to resolve, they are looking into grants and will do whatever they can to resolve the situation, but cannot make any promises. Indicated before that Ms. Yanul intends to build a home, seek building permits, resolve the problem. He is glad to hear they are in favor of the annexation and seek to have it resolved.

Commissioner Ducro asked if the city is prepared to offer all services to this parcel, are there storm sewers?

Mr. Pasqualone answered, not to that property, but there is water and sanitary with storm sewers down the street, along with police and fire.  
No one from the township was present.

WHEREAS, For a complete record of the public hearing, there is a recording available; and

WHEREAS, the Board will make a decision by March 30, 2023; and

WHEREAS, the Board of Commissioners has little discretion as long as the requirements of the Ohio Revised Code are met; now

THEREFORE, BE IT RESOLVED, By the Board of Commissioners of Ashtabula County, Ohio, that there being no further testimony offered, the hearing on the proposed annexation of territory in the Township of Geneva to the City of Geneva as petitioned by Gary L. Pasqualone, Agent for the Michelle Yanul Property was declared adjourned.

**ASHTABULA COUNTY COMMISSIONERS  
CERTIFICATION PAGE**

**Resolution No. 2023-135**

**February 28, 2023**

**RESOLUTION HOLDING PUBLIC HEARING IN THE MATTER OF THE PROPOSED ANNEXATION OF CERTAIN TERRITORY IN THE TOWNSHIP OF GENEVA TO THE CITY OF GENEVA, MICHELLE YANUL PROPERTY, PERMANENT PARCEL NUMBER 17-024-00-049-02**

**Upon the motion of J.P. Ducro IV, seconded by Kathryn L. Whittington.**

**VOTE:**

**Casey R. Kozlowski  
Kathryn L. Whittington  
J.P. Ducro IV**

**Absent  
Aye  
Aye**

**CERTIFICATE OF CLERK**

IT IS HEREBY CERTIFIED that the foregoing is a true and correct transcript of a resolution acted upon and duly passed by the Board of County Commissioners of Ashtabula County, Ohio, on the date noted above.



---

Lisa Hawkins, Clerk of the Board  
Board of County Commissioners  
Ashtabula County, Ohio