

ORDINANCE 2022-31

AN ORDINANCE TO REZONE 152.469 +/- ACRES WITHIN THE VILLAGE OF COMMERCIAL POINT, OHIO FROM EXCEPTIONAL USE (EU) TO LIMITED MANUFACTURING DISTRICT (LM) CONTINGENT UPON THE ANNEXATION OF SAID PROPERTY INTO THE VILLAGE.

WHEREAS, SB Lane Crabtree LLC (the "Petitioner") filed a Rezoning Application with the Village of Commercial Point on September 13, 2022 to re-rezone 152.469 +/- acres within the Village of Commercial Point from Exceptional Use (EU) to Limited Manufacturing District (LM) pursuant to Chapter 1143 of the Zoning Code of the Village of Commercial Point; and

WHEREAS, the Village provided the required public notice as described in Chapter 713 of the Ohio Revised Code; and

WHEREAS, the Village of Commercial Point held a public hearing on November 7, 2022 to hear comments on this proposed zoning request pursuant to Ohio Revised Code Section 713.12; and

WHEREAS, the Village Council must approve, disapprove, or adopt the proposed amendment to the Zoning Map of the Village of Commercial Point within forty-five (45) calendar days of the public hearing held on November 7, 2022; and

WHEREAS, the Council of the Village of Commercial Point has determined it to be in the best interest of the Village of Commercial Point that the zoning classification of the property that is the subject of the Petitioner's rezoning application be established as a Limited Manufacturing District (LM) pursuant to Chapter 1171 of the Zoning Code of the Village of Commercial Point and be approved.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF COMMERCIAL POINT, PICKAWAY COUNTY, OHIO, THAT:

SECTION 1. Approval of Re-Zoning Application; Approval Contingent Upon Final Annexation. The Village Council has considered the criteria described in Section 1143.03 of the Zoning Code of the Village of Commercial Point and has determined that those criteria weigh in favor of rezoning the property containing 152.469 +/- acres, which is more particularly described in Exhibit A, incorporated herein by reference, and is hereby designating the property as a Limited Manufacturing District (LM). The entirety of the 152.469 +/- acres shall be designed as a Limited Manufacturing District (LM). Accordingly, the re-zoning application of Petitioner is approved contingent upon the property receiving final approval to be annexed into the Village of Commercial Point.

SECTION 2. Open Meetings Certification. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and of any other committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

SECTION 3. Effective Date. This Ordinance shall go into effect and be in force from and after the earliest date allowed by law.

Vote on Passage of the Ordinance:

Motion by: Ross Crego

2nd: Ryan Mitchem

Roll Call:

Yes Nancy Geiger

Yes Ryan Mitchem

Yes Audrea Ratliff


Yes Ross Crego

Yes Stacey Plybon

N/A Laura Wolfe

Adopted this 19th day of December, 2022.

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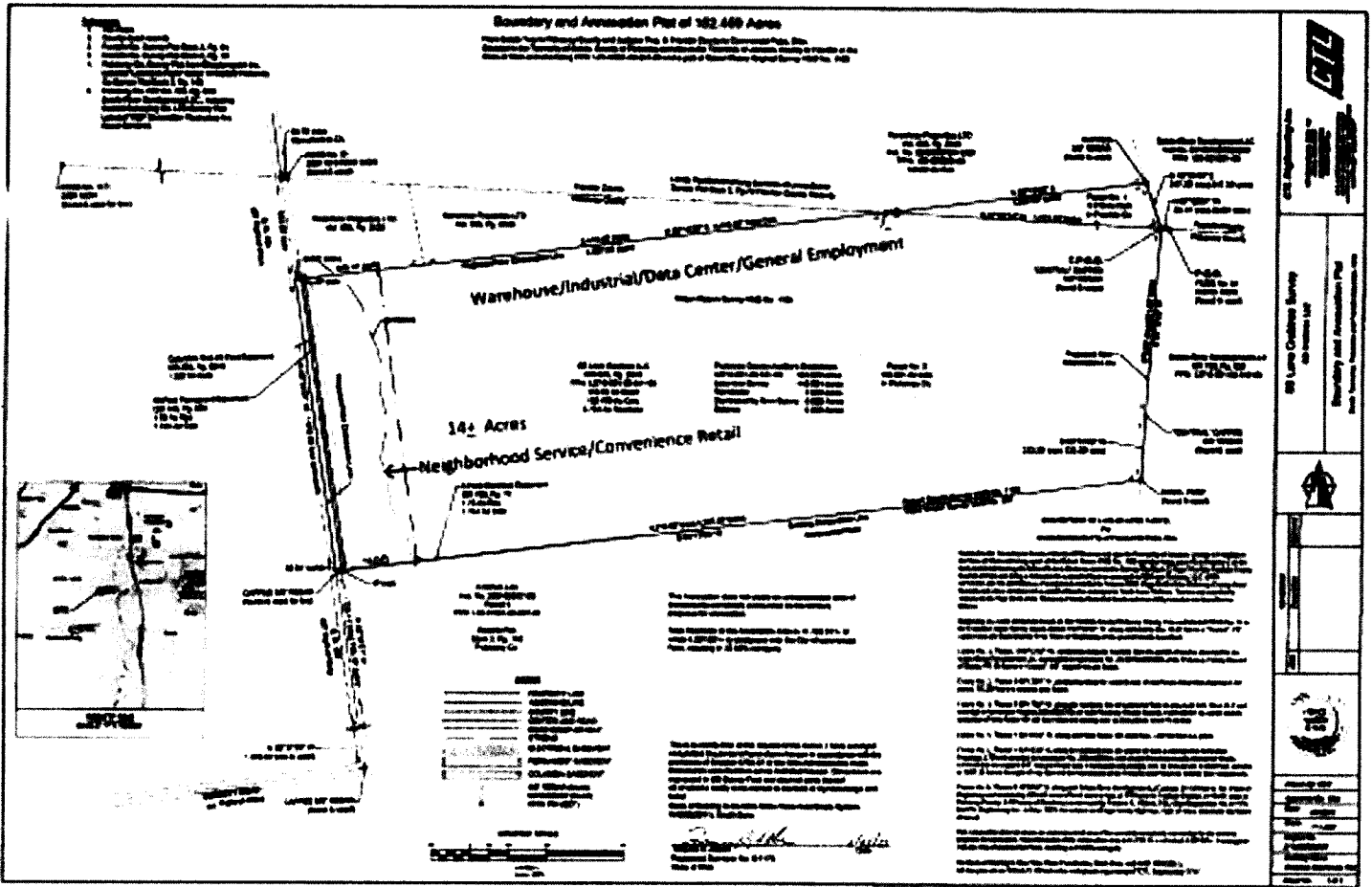

Allan D. Goldhardt, Mayor


Wendy Hastings, Fiscal Officer

Approved as to Form:


Joshua Cartee, Village Solicitor

ORDINANCE 2022-31
Exhibit A



ORDINANCE 2022-31
Exhibit A (continued)

DESCRIPTION OF A 152.469 ACRE PARCEL
For
ANNEXATION INTO THE CITY OF COMMERCIAL POINT, OHIO

Situated in the Township of Scioto, County of Pickaway and also the Township of Jackson, County of Franklin in the State of Ohio and being a part of the Robert Rose's VMS No. 1108 and also being part of Lot Number 2 of the land partitioned among the heirs of Lewis Berror as recorded in Survey Plat Book 2, Page 74 of the Franklin County Record of Plats and being a 1/2 interest in a parcel of land as conveyed to SB Lane Crabtree, LLC (PPN L27-0-00100-541-00 Pickaway County) and recorded in Volume 0625, Page 2648 of the Pickaway County Deed Records and also a 1/2 interest in a parcel of land as conveyed to William M. Lane, Trustee of the W.M. Lane Trust dated June 14, 1994 and recorded in Volume 0351, Page 0167 of the Pickaway County Record of deeds and more fully bounded and described as follows:

Beginning at a stone monument found on the Franklin County/Pickaway County line and labeled FCGS No. 54 in the Franklin County Survey record, thence N 87°02'01" W, along said county line, 39.09 feet to a "Central" 5/8" capped iron pin found and the True Place of Beginning of the parcel herein described;

Course No. 1; Thence, S 04°12'42" W, continuing along the westerly line of a parcel of land as conveyed to the Scioto River Development LLC as recorded in Instrument No. 2016-07220095000 of the Pickaway County Record of Deeds, 971.88 feet to a "Central" 5/8" capped iron pin found;

Course No. 2; Thence S 03°12'09" W, continuing along the westerly line of said Scioto River Development LLC parcel, 332.20 feet to a concrete post found;

Course No. 3; Thence S 83°17'06" W, along the northerly line of a parcel of land as conveyed to K Nova LLC and recorded in Instrument Number 202100002126 of said Pickaway County Record, 4,207.50 feet to a point and the centerline of State Route 104 (60 feet wide) and passing over an iron pin set at 4,877.46 feet;

Course No. 4; Thence N 08°34'21" W, along said State Route 104 centerline, 1,519.65 feet to a point;

Course No. 5; Thence N 83°13'30" E, along the southerly line of a parcel of land as conveyed to Kerschner Properties LTD and recorded in Instrument No. 200503070041338 of said Pickaway County Record of Deeds, 4,446.98 feet to a capped 5/8" iron pin found (cap is damaged) and passing over an iron pin set at 30.09 feet and also at 3,087.38 feet at the right of way line and the intersection of the Franklin and Pickaway County lines respectively;

Course No. 6; Thence S 18°39'45" E, along said Scioto River Development LLC parcel, 247.38 feet to the Place of Beginning and containing 152.469 acres of land, more or less, (3.778 Acres in Franklin County), (148.691 acres in Pickaway County, 2.793 acres of Roadway) as surveyed by Terence R. Allison, P.S., Ohio Registration No. S7176, for CTL Engineering Inc., in May, 2021, but subject to all legal roads, highways, right of ways, easements and leases of record.

This Annexation does not create an unincorporated area of the township completely surrounded by the territory proposed for annexation. Total Perimeter of the Annexation Area is 11,725.51+- of which 4,207.60+- is contiguous with the City of Commercial Point, resulting in 35.88% contiguity.

The Basis of Bearing is Ohio State Plane Coordinates, South Zone, and NAD 1983(2011).

All iron pins set are 30 inch X 5/8 inch rebar with plastic caps stamped "CTL Engineering-7176".

10/5/21

