

**RESOLUTION NO. 32-2021**

**A RESOLUTION APPROVING A CONDITIONAL USE FOR AN AUTOMOBILE CAR WASH IN A GENERAL COMMERCIAL DISTRICT WITHIN THE VILLAGE OF COMMERCIAL POINT, OHIO.**

**WHEREAS**, Kenneth W. & Patricia M. Pettit, Trustees (the "Petitioner") filed a Conditional Use Application with the Village of Commercial Point on August 3, 2021 to allow an automobile car wash to be constructed in a General Commercial District within the Village of Commercial Point pursuant to Chapter 1145 of the Zoning Code of the Village of Commercial Point; and

**WHEREAS**, an automobile car wash is a conditional use within the General Commercial District pursuant to Section 1167.03 of the Zoning Code of the Village of Commercial Point; and

**WHEREAS**, the Village provided the required public notice as described in Chapter 1145 of the Zoning Code of the Village of Commercial Point; and

**WHEREAS**, the Village of Commercial Point held a public hearing on September 20, 2021 to hear comments on this proposed conditional use request pursuant to Chapter 1145 of the Zoning Code of the Village of Commercial Point; and

**WHEREAS**, the Village Council must approve, approve with modifications, or disapprove the conditional use within thirty-five (35) calendar days of the public hearing held on September 20, 2021; and

**WHEREAS**, the Village Council acts in its administrative capacity when evaluating conditional use applications pursuant to Ohio Revised Code Sections 713.11; 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, in order to allow an existing business to expand their services offered to the residents by adding an automobile car wash on their site and, therefore, the Village Council has determined to approve the Petitioner's Conditional Use Application allowing construction of an automobile car wash within the Village of Commercial Point.

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

**SECTION 1.** The Village Council hereby approves the Conditional Use Application to construct an automobile car was on the property containing 5.1329 +/- acres and situated in a General Commercial District, which is more particularly described on the attached Exhibit A, incorporated herein by reference. The Council hereby finds, pursuant to Section 1145.03 of the Zoning Code, that (a) the proposed use is a conditional use of General Commercial Zoning District; (b) the proposed use is compatible with adjacent land use, adjacent zoning, and to appropriate plans for the area; (c) the proposed use will not adversely impact access, traffic flow, and other public facilities and services; (d) the proposed use will not result in the destruction, loss or damage of a natural, scenic, or historic feature; and (e) the proposed use will not adversely affect the public health, safety, convenience, comfort, prosperity, and general welfare.

**SECTION 2.** It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution 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.** This Resolution shall take effect and be in force from and after the earliest date allowed by law.

**RESOLUTION NO. 32-2021**

Vote on Passage of the Resolution:

Motion by: Nancy Geiger

2<sup>nd</sup>: Ryan Mitchem

Roll Call:

Yes Jason Thompson

Yes Aaron Grassel


Yes Ryan Mitchem

Yes Nancy Geiger

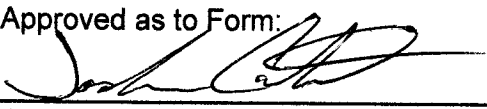
Yes Tracy Joiner

No Laura Wolfe

Adopted this 25<sup>th</sup> day of October, 2021.

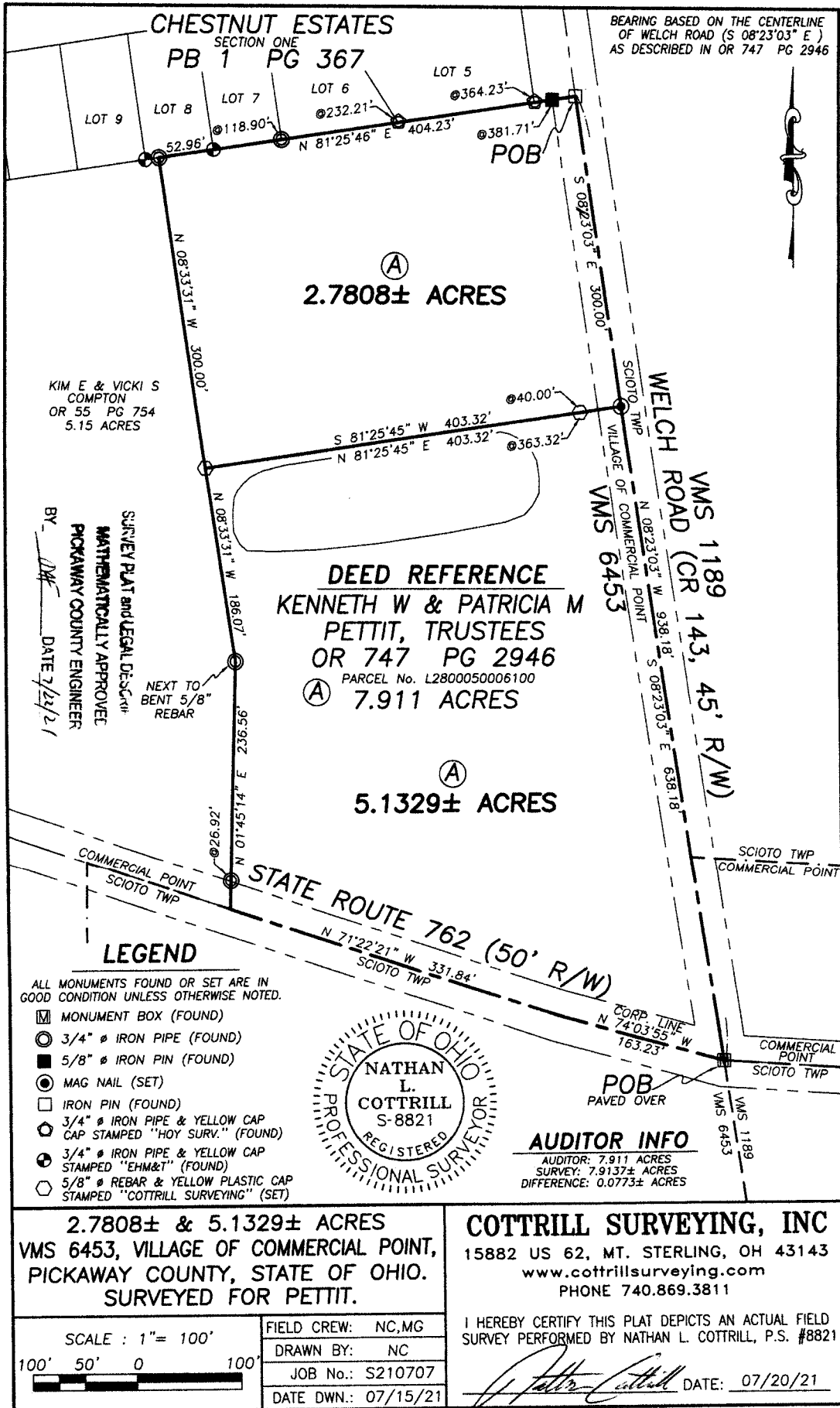
  
Allan D. Goldhardt, Mayor

  
Wendy Hastings, Fiscal Officer

Approved as to Form:  
  
Joshua Cartee, Village Solicitor

**RESOLUTION NO. 32-2021**

**Exhibit A**



**RESOLUTION NO. 32-2021**

**Exhibit A (continued)**

***COTTRILL SURVEYING, INC***

15882 US Route 62 SE, Mt. Sterling, Ohio 43143, Ph. 740.869.3811, www.cottrillsurveying.com

***5.1329 Acre Tract  
Surveyed for Pettit***

The following described 5.1329 acre tract is situated in the State of Ohio, Pickaway County, Village of Commercial Point, VMS 6453, being part of a 7.911 acre tract (Parcel L 2800050006100) conveyed to Kenneth W and Patricia M Pettit, Trustees by Official Record 747 page 2946, and being more particularly described as follows:

Beginning at a monument box found (paved over) at the centerline intersection of State Route 762 (50 feet right-of-way) and Welch Road (County Road 143, 45 feet right-of-way), in the line between VMS 6453 and 1189, in the line between the Village of Commercial Point and Scioto Township, and being the Southeast corner of said 7.911 acre tract;

Thence, with the centerline of State Route 762 and with said Corporation line with the following two courses:

- 1) **North 74° 03' 55" West** a distance of **163.23 feet** to a point;
- 2) **North 71° 22' 21" West** a distance of **331.84 feet** to the Southeast corner of a 5.15 acre tract conveyed to Kim E and Vicki S Compton by Official Record 55 page 754;

Thence, with the East line of said 5.15 acre tract with the following two courses:

- 1) **North 01° 45' 14" East**, passing a 3/4 inch diameter iron pipe found at 26.92 feet, a total distance of **236.56 feet** to a 3/4 inch diameter iron pipe found;
- 2) **North 08° 33' 31" West** a distance of **186.07 feet** to an iron pin and cap set;

Thence, with the new line across said 7.911 acre tract, **North 81° 25' 45" East**, passing an iron pin and cap set at 363.32 feet, a total distance of **403.32 feet** to a mag nail set in the centerline of Welch Road, in the line between VMS 1189 and 6453 and in the line between the Village of Commercial Point and Scioto Township;

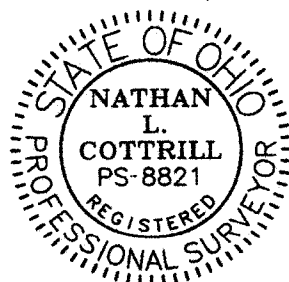
Thence, with the centerline of Welch Road, with said VMS line and partially with said Corporation line, **South 08° 23' 03" East** a distance of **638.18 feet** returning to the **Point of Beginning**, containing **5.1329 Acres** more or less.

Bearings are based on the centerline of Welch Road (South 08° 23' 03" East) as described in Official Record 747 page 2946.

This deed is subject to and with the benefit of all legal highways, restrictions, easements, limitations, and reservations, of record, if any and to zoning restrictions which have been imposed thereon, if any.

All iron pins set are 5/8-inch diameter rebar with yellow plastic cap stamped "Cottrill Surveying"

This description is based on a field survey performed July 15, 2021 by Nathan L. Cottrill, PS registration #8821. (Job #S210707-5.1329)



*Nathan L. Cottrill*  
Nathan L. Cottrill, PS #8821

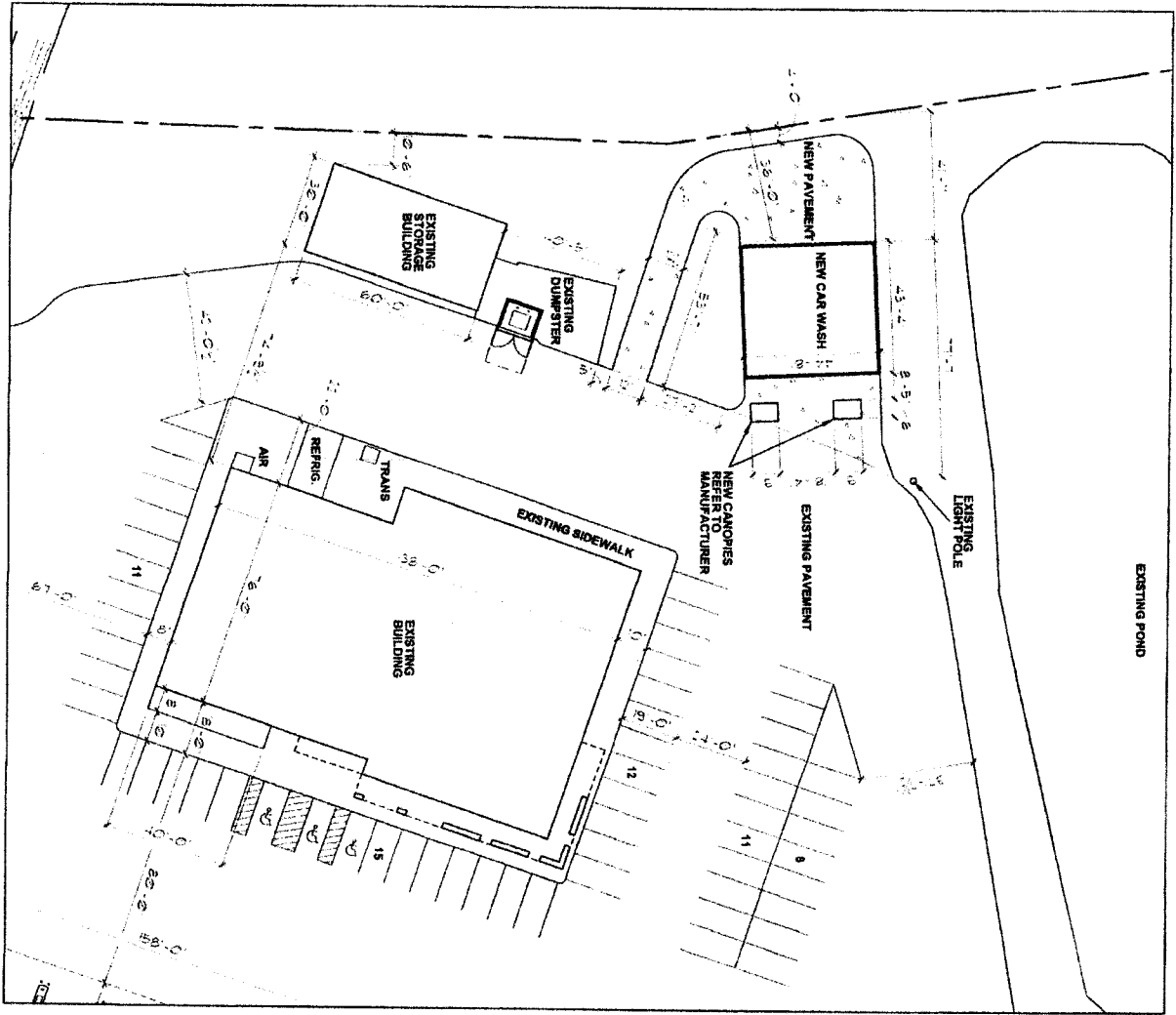
SURVEY PLAT and LEGAL DESCRIPTIC  
**MATHEMATICALLY APPROVED**  
**PICKAWAY COUNTY ENGINEER**

BY JAF DATE 7/22/21

**RESOLUTION NO. 32-2021**

**Exhibit A (continued)**

**ENLARGED SITE PLAN**  
SCALE: 1" = 20'  
NORTH



SP2

21051  
08-17-21



**JH Architects, Inc.**

5120 B Nike Drive  
Hilliard, Ohio 43026  
614-527-7590 Fax 614-527-7592

**JAY-CAR**

CONSTRUCTION CO., INC.  
15935 US Rt. 62 ~ P.O. Box 217  
Mt. Sterling, Ohio 43143  
(740) 669-2144 (740) 669-4006 Fax jaycar@jrcos.com

**PETTIT'S CAR WASH**

10901 WELSH ROAD  
COMMERCIAL POINT, OHIO 43116