

REQUESTED BY: CITY MANAGER, BILL KOCHER

DATE OF FIRST READING:

2-19-19

WAIVE RULES?

 YES ☒ NO

FINAL ACTION DATE:

3-5-19

VOTE:

☒ YES NO

SUSPENSION OF TWO
READING RULE:

YES

NO

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DENISE LINGO
JENNIFER MOODY
ROBERT PARSONS
JUDY PETERSEN
JOE ROETTING
KISHA DOSA
CORDEL GEORGE
TOTALS

ADOPTION OF
RESOLUTION:

YES

NO

<u>✓</u>	<u> </u>
<u>✓</u>	<u> </u>
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RESOLUTION NO. 19-1128

A RESOLUTION TO APPROVE THE RECOMMENDATION OF THE PLANNING COMMISSION REGARDING THE CONDITIONAL USE REQUEST FOR THE SALE OF USED GOODS, SELLING USED TIRES IN THE RETAIL BUSINESS DISTRICT (E-1) AT 7905 HAMILTON AVENUE

WHEREAS, the Mt. Healthy Planning Commission has reviewed a request (the "request") from Ms. Marilyn Birch, for Conditional Use approval for the proposed sale of used goods, selling used tires at 7905 Hamilton Avenue in the Retail Business District (E-1); and,

WHEREAS, on January 24, 2019 the Planning Commission adopted Resolution 19-1, relative to said request; and,

WHEREAS, it is the opinion of the Planning Commission that the Conditional Use request for the proposed sale of used goods, selling used tires at 7905 Hamilton Avenue with conditions (as stated in the attached Planning Commission Resolution 19-1) would be a benefit to the City of Mt. Healthy; and,

WHEREAS, the Mt. Healthy City Council on February 19, 2019 conducted a public hearing on the recommendation as required by law and the Zoning Code.

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MT. HEALTHY, STATE OF OHIO:

Section 1. The recommendation of the Planning Commission to approve the request for a Conditional Use for the proposed sale of used goods, selling used tires at 7905 Hamilton Avenue is hereby approved with conditions.

Section 2. That this Resolution shall be in full force and effect from and after the first date provided by law.

Passed this 5 day of MARCH, 2019.

Ron Bittner
President of Council

Attest: Melanie R/C
Clerk of Council

Approved this 5 day of MARCH, 2019.

[Signature]
Mayor

RESOLUTION RELATING TO THE CONDITIONAL USE REQUEST FOR THE SALE OF USED GOODS, SELLING USED TIRES IN THE RETAIL BUSINESS DISTRICT (E-1) AT 7905 HAMILTON AVENUE:

WHEREAS, The Planning Commission received a request from Ms. Marilyn Birch for Conditional Use approval for the proposed sale of used goods, selling used tires at 7905 Hamilton Avenue in the Retail Business District (E-1); and,

WHEREAS, The Planning Commission did review this request at their regular meeting on January 24, 2019, after holding a Public Hearing and found the request does meet with their approval the intent and compatibly with the surrounding district; and,

WHEREAS, The Planning Commission herewith recommends the following conditions:

- No outside storage, temporary or permanent.
- Maximum of seven (7) days for any vehicle parked on site.
- No outside tire or vehicle servicing; and,

WHEREAS, It is the opinion of this Commission that the Conditional Use request for the proposed sale of used goods, selling used tires at 7905 Hamilton Avenue would be a benefit to the City of Mt. Healthy.

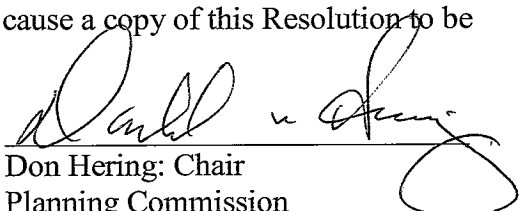
NOW THEREFORE BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF MT. HEALTHY THAT:

SECTION I. The Planning Commission herewith recommends that City Council approve this request and approve the Conditional Use request for the proposed sale of used goods, selling used tires at 7905 Hamilton Avenue.

SECTION II. That the City Council gives due consideration to this recommendation and initiate the necessary legislation to approve the request at the earliest time allowed by law.

SECTION III. The Secretary is hereby instructed to cause a copy of this Resolution to be forwarded to the City Council.

Passed: January 24, 2019


Don Hering: Chair
Planning Commission

Signed: February 1, 2019