

ORDINANCE NO. 66-33

BY: John A. Offerberg

An Ordinance to authorize a variance for the property located at 396 North Cassady Avenue, to permit the property, which is zoned "Office Commercial" (OC), to be used for the operation of a gasoline service station.

WHEREAS, Nicholas A. Cenci and Brian K. Harris have formed a business partnership and desire to lease property at 396 North Cassady Avenue, further identified as Lots Numbered 1 and 2, Beacon Hill Addition, for the purpose of operating a neighborhood gasoline service station; and

WHEREAS, the property was rezoned from the Class III Commercial District to the R-12 Medium Density Multifamily Residential District upon the adoption of the new Bexley Zoning Code in 1972; and

WHEREAS, a gasoline service station has been operated on this site for approximately 30 years and was voluntarily discontinued on May 21, 1976 and was not allowed to re-open in 1978 because the right to continue a non-conforming use had lapsed; and

WHEREAS, the property is owned by Mrs. Margaret Webb and is leased to the Marathon Oil Company, the term of which will extend for an additional seven years; and

WHEREAS, the continued long-term vacancy of this property is deemed to be a public nuisance and, as such, is contrary to the best interest of other properties in the neighborhood.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BEXLEY, STATE OF OHIO:

Section 1: That, conditioned upon the review and recommendation by the Bexley Planning Commission, and upon the execution of an appropriate lease for the exclusive use of the property, that Nicholas A. Cenci and Brian K. Harris be granted a special conditional permit to operate a neighborhood gasoline service station at 396 North Cassady Avenue, Bexley, Ohio, provided the following additional conditions are met: That the hours of operation be limited to 7:00 A.M. to 9:00 P.M., Monday through Saturday, and 8:00 A.M. to 6:00 P.M. on Sundays; that the type of automobile repairs be limited to those defined under Section 1208.31 of the Bexley Zoning Code; that retail sale items other than fuels, oil or accessories that are normally associated with a gasoline service station, be limited to cigarettes, non-alcoholic beverages and snacks; and that the number of pump islands shall be limited to two in number, one of which will at all times be operated as full service by an attendant on duty.

Section 2: That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: Nov 22, 1983

Carolyn Thomas Christy
President of Council

Attest: [Signature]
Clerk of Council

Approved: Nov 22, 1983

[Signature]
David H. Madison
Mayor

Oct 20, 1983. First reading

Oct 25, 1983 second reading
tabled to Nov 22, 1983

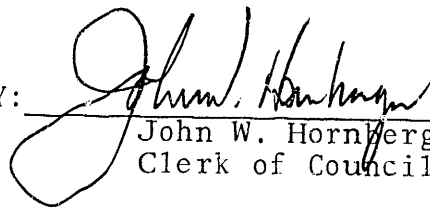
Nov 22, 1983: Removed from table

Ordinance adopted

NOTICE OF PUBLIC HEARING

The Bexley City Council will conduct a Public Hearing on the adoption of ordinance No. 66-83 to authorize a variance for the property located at 396 North Cassady Avenue, to permit the property, which is zoned "Office Commercial" (OC), to be used for the operation of a gasoline service station, at 7:00 P.M., Tuesday, November 22, 1983, in the City Council Chambers of Bexley City Hall, 2242 East Main Street, Bexley, Ohio 43209. All interested persons are invited to attend.

BY:



John W. Hornberger
Clerk of Council