

ORDINANCE NO. 48 -92

BY: John H. Offenberg

An Ordinance to grant a variance pursuant to Section 1264.14(c) (2) of the Codified Ordinances for property located at the rear of 2681 East Main Street to permit the property which is zoned Office Commercial (OC) to be used for retail service purposes.

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

Section 1. That Jan Dolgin has requested a variance for property at the rear of 2681 East Main Street to allow the use of the property for retail service purposes.

Section 2. That the applicant understands and has agreed to comply with parking, environmental review and building code requirements.

Section 3. That the approval of the variance would not have an adverse effect on the surrounding properties or neighborhood, would assist in generating a vigorous business climate on Main Street, alleviates hardships imposed on the use of the building which was in existence prior to adoption of the current zoning and complies with Council's power and authority to grant variances as set forth in Section 1264.14(c)(2).

Section 4. That the proposed use of the building for retail sales and a childrens bookstore and gift shop is compatible with the recognized permitted uses in the Office Commercial Zoning District, produces substantial justice and is not contrary to the public interest.

Section 5. That this variance is limited to the period of time the rear of the building is occupied by Jan Dolgin and the use shall revert to uses permitted under the Office Commercial Zoning District when vacated by Ms. Dolgin.

Section 6. That the application for the variance should be, and it is therefore, granted.

Section 7. That this Ordinance shall go into effect and be in force from and after the earliest period allowed by law.

Passed: September 8, 1992

[Signature]
President of Council

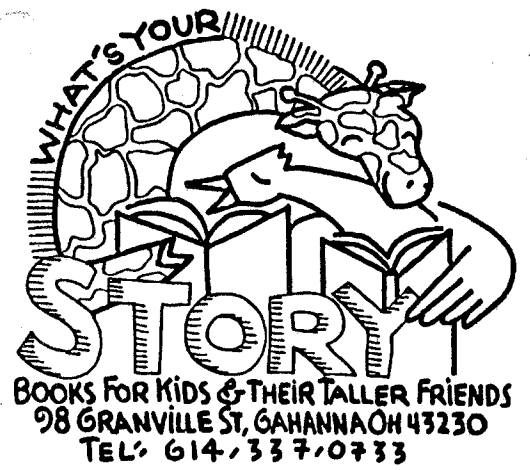
Attest: [Signature]
Clerk of Council

Attest: Sept. 8, 1992

[Signature]
David H. Madison
Mayor

July 14, 1992 - 1st reading
July 28, 1992 - 2nd reading
Sept. 8, 1992 - 3rd reading
Adopted

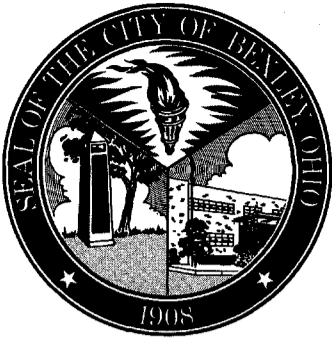
055/Dolgin



Dear City Council Members,

What's Your Story is a children's bookstore and gift shop in Gahanna. After speaking with Judy Feerer of "Our Gang" in Bexley we felt that children's books and gifts would be a natural extension of her children's clothing shop. I was not aware that we were in violation of the zoning code since we were locating within another retail space. I do not feel that we are affecting the zoning district in any way since as stated above we are within a retail space. I am seeking a councilmatic variance at this time so that I can continue to operate.

Thank you,
Jan Dolgin



City of Bexley, Ohio

BUILDING DEPARTMENT
2242 EAST MAIN STREET, 43209 235-0956

DAVID H. MADISON, MAYOR

July 6, 1992

Ms. Jan Dolgin
What's Your Story
2681 East Main Street
Bexley, Ohio 43209

Dear Ms. Dolgin:

It has come to my attention through a newspaper article that "What's Your Story", a childrens book and gift shop, has begun operating in the rear of 2681 East Main Street in Bexley, Ohio. That property is in the Office Commercial Zoning District which allows as permitted uses, administrative, business, professional and similar office uses. Existing retail uses in the district were "grandfathered" in by being in existence at the time the current zoning code was adopted; or, if begun after the adoption of the zoning code, were permitted by councilmatic variance.

"What's Your Story" falls into the latter category and must receive councilmatic variance to remain at that location. Please submit a written request seeking a councilmatic variance to Bexley City Council. The request should include a narrative description of your business and how it will affect the zoning district in which it is located. As "What's Your Story" is currently in violation of the Bexley Zoning Code it is important that your request be made prior to July 10, 1992, so that the request can be submitted to Bexley City Council on July 14, 1992.

Enclosed are copies of the intent and regulation sections of the Office Commercial Zoning Code. If you have any questions please call me at 235-8694.

Very truly yours,

CITY OF BEXLEY, OHIO


Dorothy Pritchard
Service Director

DP/g
Enclosures