

ORDINANCE NO. 74 - 00

By: Mark Masser

An Ordinance to grant a variance pursuant to Section 1264.14 (c)(2) of the Codified Ordinances for property located at 2733 East Main Street, to permit the property, which is zoned Office Commercial (OC) to be used for retail sales purposes.

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

Section 1. That Richard and Christine Spangle have requested a variance for property at 2733 East Main Street, to allow the use of the property for retail sales 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, 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 purposes, specifically a flower 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 2733 East Main Street is occupied by Richard and Christine Spangle, and the use shall revert to uses permitted under the Office Commercial Zoning District, when vacated by Richard and Christine Spangle.

Section 6. That this variance shall automatically terminate without action of the City, if the use, which is the subject of this variance, is hereafter declared to be unlawful or becomes a nuisance by Ohio Revised Code Titles 29 or 37, and/or Chapters 612 to 672, inclusive of these Codified Ordinances.

Section 7. That the application for the variance should be, and it is, therefore, granted.

Section 8. That this Ordinance shall go into effect and be in force from and after the earliest period allowed by law.

Passed: 10/10, 2000



President of Council

Attest: Richard A. Levin
Clerk of Council

Approved: 10/10, 2000



David H. Madison
Mayor

9/12/00 First reading
9/26/00 Second reading
10/10/00 Third reading