

ORDINANCE NO 72 - 04

By: Mr. Weber

An Ordinance to grant a Councilmatic Variance to Lot Numbers 601- 602, 603 and 604 of the Bellwood Addition, also known as 438 – 454 North Cassady Avenue in the City of Bexley, Ohio, to permit the properties to be used as residential uses.

Whereas, McKdad Vocation Legacy, LLC, the owner of the property described above filed an application on September 22, 2004, to request that said property be permitted to be used for residential rentals use, and;

Whereas, the buildings were originally designed as residential units ~~and~~;

~~Whereas, the Bexley Planning Commission has held a public meeting and has recommended that the Councilmatic Variance be approved;~~ **NOW, THEREFORE,**

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

Section 1. That Lot Numbers 601, 602 and 603 and 604 of the Bellwood Addition, also known as 438 – 454 North Cassady Avenue in the City of Bexley, Ohio, be granted a Councilmatic Variance to permit the properties to be used as residential uses.

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

Passed: 10/26, 2004

John B. Paly
President of Council

Attest: [Signature]
Clerk of Council

Approved: 10/26, 2004

[Signature]
President of Council Mayor

9-28-04
First Reading
10-12-04 Second Reading
10-26-04 Three Reading
rule
Passed.

APPLICATION NUMBER 4400
FILING FEE: \$ 50.00

PAID
2086 9/23/04

CITY OF BEXLEY, OHIO
APPLICATION TO APPEAR BEFORE
BEXLEY CITY COUNCIL

1. This application is submitted for: (please check)
 Rezoning Lot Split Plat Approval Variance

2. APPLICATION SUBMITTED FOR PROPERTY LOCATED:
438 through 454 N. Cassady Ave.

3. NAME OF APPLICANT: McKdad Vocation Legacy, LLC., an Ohio limited liability company,
by: Michael A. McKinney, Member

ADDRESS: 458 N. Cassady Ave.

TELEPHONE NUMBER: (614) 252-1300

4. NAME OF OWNER: McKdad Vocation Legacy, LLC, an Ohio limited liability company

ADDRESS: 458 N. Cassady Ave.

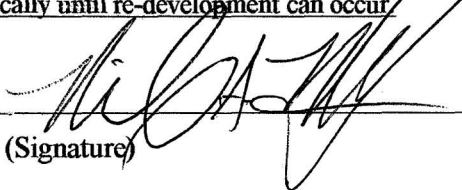
TELEPHONE NUMBER: (614) 252-1300

5. Narrative description of project (attached additional sheets if necessary.)

The properties in question are three separate one story 2 family dwellings located between Columbus Avenue and Bellwood Avenue, north of Lagniappe flower shop and South of Dairy Mart and Well Beings

6. IF THIS APPLICATION INVOLVES A VARIANCE, PLEASE EXPLAIN WHY THE VARIANCE IS NECESSARY. (Attach additional sheets, if necessary.)

The properties in question were previously Councilmatically re-zoned from R-12 multi family to Neighborhood Commercial. Unfortunately, and regrettably as the owner/applicant, while I thought I understood the ordinance, my understanding was in fact incorrect. It was my perception (I might add not to, or at the fault of anyone else) that the properties were re-zoned but could continue (conditionally) to be utilized for residential purposes (as there are several very long term senior citizen tenants) until such appropriate time that the contemplated, hoped for, or anticipated ultimate re-development could occur. However, in reviewing the ordinance I have learned that only the tenant in residence at the time could remain until they left. Then the property was to be utilized commercially. This creates a difficult and ultimately unworkable situation, in that if a tenant moves out, there is still another residential tenant next door. A condition, which is certainly not conducive to attracting an office commercial user. That is to say, attempting to attract an office user next to a long-term residential occupant, is difficult. Frankly while efforts have been made and marketing efforts undertaken there has been no success in attracting an office user. Therefore, while I wish to retain the neighborhood commercial zoning anticipating at an appropriate time to undertake a re-development of the property, I certainly don't want to have vacant boarded up buildings/units waiting for that appropriate time to arrive. Therefore, I am respectfully requesting that a conditional use variance be granted so that the properties may continue to be utilized as they have been historically until re-development can occur.

APPLICANT:  DATE 9-22-04
(Signature)

(NOTE: If the applicant is not the owner, a letter from the owner stating his or her approval of the application must be submitted with the application.)