

AMENDED ORDINANCE NO. 07-11

BY: Rick Weber

An Ordinance to grant a variance pursuant to Section 1264.14(c)(2) of the codified Ordinances for property located at 2111 East Main Street (a parking lot between Alum Creek and the terminus of Parkview Drive at East Main Street on the south side of Main Street) to permit the property, which is zoned Mixed Use Commercial, to be used for an outdoor farmers' market.

WHEREAS, the Mixed Use Commercial Zoning District under section 1252.03(j) of the Bexley Codified Ordinances permits "Retail sales"; and

WHEREAS, "RETAIL SALES AND RETAIL SERVICES" as defined in Section 1268.32 of the Bexley Codified Ordinances does not include "flea markets or other temporary retail sales"; and

WHEREAS, an outdoor farmers' market would be considered "temporary retail sales"; and

WHEREAS, the Bexley Farmers' Market has requested a variance for property at 2111 East Main Street to allow the use of the property for an outdoor farmers' market; NOW, THEREFORE,

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

Section 1. That the requested variance is hereby granted.

Section 2. That the market will be conducted Thursdays between the hours of 3:00 pm and 8:00 pm beginning in May and ending in October.

Section 3. That the market will be limited to members or authorized vendors of the Bexley Farmers' Market.

Section 4. That the applicant understands and has agreed to comply with applicable state and local requirements, and furthermore, agrees that should the 2121 East Main Street location be developed in the future, the Bexley Farmers' Market will relocate to another site.

Section 5. That the approval of the variance will not have an adverse effect on the surrounding properties or neighborhood, would assist in providing a service to residents that is not currently available within the city, would encourage community-oriented shopping, would promote the consumption of locally grown food and good health, and would comply with Council's power and authority to grant variances as set forth in Section 1264.14(c)(2).

Section 6. That the proposed outdoor farmers' market is compatible with the recognized permitted uses in the Mixed Use Commercial Zoning District, produces substantial justice, and is not contrary to the public interest.

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: March 15, 2011

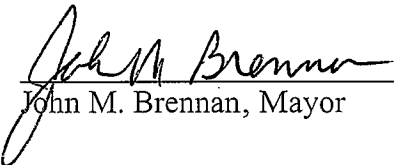


President of Council

Attest: 

Clerk of Council

Approved: 3-15, 2011



John M. Brennan, Mayor