

ORDINANCE NO. 15-12

By: Mr. Lampke

An Ordinance to approve a use variance for part of the western portion of property located at 2080 East Livingston Avenue to permit a drive-thru restaurant.

WHEREAS, the developer of property located at 2080 East Livingston Avenue desires to construct a drive-thru restaurant on the western portion of the property; and

WHEREAS, a drive-thru restaurant is not a permitted or conditionally permitted use within the Commercial Service Zoning District, which is the current zoning for Livingston Avenue west of College Avenue; and

WHEREAS, the Bexley Charter was recently changed to permit drive-thru restaurants on Livingston Avenue west of College Avenue; and

WHEREAS, approval of a use variance for this purpose on the property would not have an adverse effect of the surrounding properties or neighborhood, and would not be contrary to the public interest;

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

Section 1. That, based upon the findings set forth in the recitals to this Ordinance and pursuant to this Council's power and authority to grant variances under Section 1264.14(c)(2) of the Planning and Zoning Code, a use variance to permit a drive-thru restaurant on the western portion of the property located at 2080 Livingston Avenue is hereby approved, subject to the following conditions:

- (a) The use of this property is for a restaurant with drive-thru facilities only and is subject to the approval of plans for the property by the City Planning Commission.
- (b) The existing buildings on the property shall be demolished.
- (c) The applicant shall, for himself, his successors and assigns, agree in writing to be bound by the terms and conditions of this Ordinance and all applicable laws and regulations.

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

Passed: 4/10, 2012

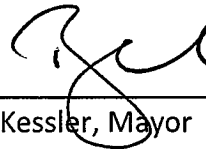


President of Council

Attest: 

Clerk of Council

Approved: 4/10, 2012



Ben Kessler, Mayor

First Reading March 13, 2012
Second Reading March 27, 2012
Third Reading 4-10-12

passed 4/10/12