

AMENDED ORDINANCE NO. 01 – 10

By: Rick Weber

An Ordinance to grant a variance pursuant to Section 1264.14(c)(2) of the Codified Ordinances for the business located at 2140 East Livingston Avenue to permit the property which is zoned Commercial Services (CS) to include in its use an office for a U-Haul truck rental company.

Whereas, truck rental companies are prohibited by Code Section 1268.32 Retail Sales and Retail Services, and

Whereas, Mike Kimbler, owner of the business “Bexley Car Care”, located at 2140 East Livingston Avenue wishes to operate an office for a Truck rental company at that location, and

Whereas, the office for the Truck rental company is auxiliary to the main business at that location which is an auto repair facility, and

Whereas, the owner of the business has agreed that the location will only function as a drop off and pickup location for rental trucks, that no more than 3 rental trucks will be stored on site, that the parking of rental trucks will be limited to approved parking spaces, and the maximum time a rental truck will be on site will be 72 hours, and

Whereas, the owner understands and has agreed to comply with all parking, environmental review and building code requirements, NOW, THEREFORE,

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

Section 1. That a variance should be and hereby is, pursuant to Section 1264.14(c)(2) of the Codified Ordinances, granted for the business located at 2140 East Livingston Avenue to permit the business, which is located in the Commercial Services (CS) Zoning District, to include in its use an office for a U-Haul truck rental company.

Section 2. That the proposed use of the building for an office for a truck rental business is compatible with the other automobile uses on site and within the district, produces substantial justice and is not contrary to the public interest.

Section 3. That this variance is limited to the period of time the building is occupied by the current business “Bexley Car Care”, which is owned by Mike Kimbler,

and the use shall revert to uses permitted under the Commercial Service Zoning District when vacated by the current business or in the event the business is sold or transferred and Mr. Kimbler does not retain a 51% ownership interest or exceed 3 years of existence after approval of this ordinance.


Section 4. That the maximum size of rental trucks shall not exceed 17' in length and trucks are to be parked in a location other than the "southwest" corner of the Bexley Car Care parking lot.

Section 5. That this Ordinance shall go into effect and be in force from and after the earliest period allowed by law.


Passed: Feb. 9, , 2010



President of Council

Attest: 

Approved: Feb. 9 , 2010



John M. Brennan, Mayor

First Reading 1-12-10
Second Reading 1-26-10
Amended 1-26-10
THird Reading 2-9-10
PASSED 2-9-10