

VILLAGE OF BEAVERDAM

ORDINANCE NO. 2018-26

AN ORDINANCE ESTABLISHING AND AMENDING
THE ZONING DISTRICT OF PROPERTY LOCATED
ON EAST MAIN STREET, BEING PARCEL NO. 28-2911-01-001.000
IN THE VILLAGE OF BEAVERDAM, ALLEN COUNTY, OHIO
AND GRANTING A CONDITIONAL USE PERMIT

WHEREAS, certain real property described in Exhibit AA@ attached hereto and made a part of this Ordinance (Athe Property@) located within the Village of Beaverdam, Ohio (AVillage@), is the proposed site of a new commercial facility, and

WHEREAS, the Property is zoned B-1(Business-1) under the Village of Beaverdam Zoning Code; and

WHEREAS, an application has been received from Attorney Dale M. Vandemark as agent for 7530, LLC, requesting a change in zoning to B-2 (Business-2) and to grant a Conditional Use Permit to allow truck-trailer parking; and

WHEREAS, the Village Planning Commission (APlanning Commission@) has recommended that the zoning district of the Property described in Exhibit AA@ be amended from B-1 under the Village of Beaverdam Zoning Code and established under the Village of Beaverdam Zoning Code as B-2 and to allow the Conditional Use Permit; and

WHEREAS, the Planning Commission held a public hearing, according to notice; and

WHEREAS, the Planning Commission has recommended approval of the proposed establishments and amendments of the zoning district and the granting of the Conditional Use Permit in connection with the Property and has recommended to the Village Council that the proposed establishments and amendments of the zoning district and Conditional Use Permit be approved and accomplished; and

WHEREAS, the Village Council, pursuant to R.C. ' 713.12 and ' 1280.01 of the Village of Beaverdam Zoning Code conducted a public hearing on the proposed establishment and amendment of the zoning district and the granting of the Conditional Use Permit on the 20th day of November, 2018, and

WHEREAS, the Village Clerk of Council, pursuant to R.C. ' 713.12, gave notice to the owners of the Property and the owners of those properties contiguous to and directly across the

street from the Property by first class mail, at least twenty (20) days prior to the date of the public hearing and further caused notice of the hearing to be published in the *Bluffton News* on the 9th, day of November, 2018; and

WHEREAS, the text of this Ordinance, together with any maps, plans or exhibits which are a part hereof or are referred herein, were on file in the office of the Village Clerk for public examination during the thirty (30) days immediately prior to the hearing held by the Village Council.

NOW, THEREFORE, be it ordained by the Council of the Village of Beaverdam, at least a majority of the members elected thereto, concurring herein:

SECTION I.

The Planning Commission's recommendation in connection with the establishment and amendment of the zoning district classification of the Property described in Exhibit AA@ from B-1 under the Beaverdam Zoning Code to B-2, and the granting of a Conditional Use Permit to allow truck-trailer parking, is hereby accepted, adopted and approved, as presented.

SECTION II.

The zoning district of the Property shall be and is hereby established and amended by changing the zoning classification of the Property described in Exhibit AA@ from B-1 under the Beaverdam Zoning code to B-2.

SECTION III

A Conditional Use Permit is hereby granted to allow truck-trailer parking upon the subject Property by the applicant, 7530, LLC

SECTION IV.

The Village Zoning Inspector shall be and is hereby directed to make the appropriate change on the original zoning map, as it may have been amended from time to time, in the Village of Beaverdam Administration Building and provide notice of the zoning change to the Allen County Regional Planning Commission.

SECTION V.

The remaining portions of the zoning map of the Village of Beaverdam as such map may have been amended from time to time, shall remain in full force and effect.

SECTION VI.

This Ordinance shall take effect at the earliest time permitted by law.

Passed this 20th day of November, 2018

Vote: For 6 Against 0

Pamela LePine, Mayor

Frank Gillette, President of Council

ATTEST:

Annie Mae Palter
Annie Palter, Fiscal Officer