

ORDINANCE NO. 2015 - 70

APPROVING A MODIFICATION OF AN EXISTING CONDITIONAL USE PERMIT FOR PROPERTY LOCATED AT THE NORTHWEST CORNER OF BETHANY ROAD AND MASON-MONTGOMERY ROAD (UNITED DAIRY FARMERS - BETHANY GREEN CIRCLE)

WHEREAS, pursuant to Ordinance 2011-13, the City of Mason has issued a Conditional Use Permit to allow a gas station and convenience store on property zoned B-2 located at the northwest corner of Bethany Road and Mason-Montgomery Road; and

WHEREAS, pursuant to the issuance of said Conditional Use Permit, certain conditions were imposed by City Council; and

WHEREAS, United Dairy Farmers has now requested a modification to the previously issued Conditional Use Permit related to signage and hours of operation on the property; and

WHEREAS, a public hearing has been held related to this requested modification and limited in scope to only the question of signage and hours of operation; and

WHEREAS, the findings of fact previously adopted by the Council on November 18, 2013, would not be changed with the approval of this proposed modification of the previously issued Conditional Use Permit.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Mason, Ohio, _____ members thereto concurring:

Section 1. That the existing Conditional Use Permit, authorized pursuant to Ordinance 2011-13, is hereby modified in accordance with the signage documents attached hereto Exhibit "A" and incorporated herein by reference and to allow hours of operation as set forth in Exhibit "B" attached hereto and incorporated herein by reference. Such modifications are approved subject to any additional conditions as set forth in Exhibit "C."

Section 2. The approval of this requested modification in no way alleviates the developer's responsibility to obtain any necessary variances from the Zoning Board of Appeals.

Section 3. That any conditions imposed pursuant to Ordinance 2011-13 not specifically modified herein remain in full force and effect.

Section 4. That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed this _____ day of _____, 2015.

Mayor

Attest:

Clerk of Council