

CITY OF CLAYTON, OHIO

RESOLUTION NO. R – ZC – 17 – 03

A RESOLUTION APPROVED THE RECOMMENDATION OF THE PLANNING COMMISSION TO APPROVE ARCHITECTURE AND LANDSCAPE APPLICATION IN PC CASE NO. 17-03 WITH SPECIFIED CONDITION(S) SUBMITTED BY CASEY'S GENERAL STORE, INC. FOR PROPERTY LOCATED AT 6703 SALEM AVENUE (PARCEL NO. M60-03207-0013)

WHEREAS, an application for architecture and landscape review for a commercial building within the General Business District per Clayton Codified Ordinance Section 1187.18 *et seq.* was submitted on October 5, 2017, by John Brumbaugh, PE, PS, on behalf of Casey's General Store, Inc. for the property located at 6703 Salem Avenue (Parcel # M60-03207-0013) relative to a proposal to construct a 4,686 square foot convenience store with 22 parking spaces and eight fuel dispensers under a canopy; and

WHEREAS, the Clayton Board of Zoning Appeals ("BZA") held a public hearing on October 17, 2017 upon the application for approval of a conditional use, at which time any and all persons were given an opportunity to be heard thereon and the BZA thereafter approved the request for a conditional use for "Convenience Store with Gasoline" **upon the condition that the applicant install a seven foot tall fence within the required buffer yard along the north property line with fence material to be approved by City Council;** and

WHEREAS, the Clayton Planning Commission held a public hearing on October 23, 2017, at which time any and all persons were given an opportunity to be heard thereon and the Planning Commission reviewed the proposed architecture and landscaping plans and recommended approval **upon the condition that the applicant provide landscaping along the entrance drive on Salem Avenue to block light, sound and possible trash and City Council to determine the fence material to be used by applicant for the seven foot tall fence within the required buffer yard;** and

WHEREAS, the Clayton City Council held a public hearing on November 16, 2017 regarding the aforementioned application at which time any and all persons were given an opportunity to be heard thereon.

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

1. That the recommendation of the Clayton Planning Commission to approve the architecture and landscaping application in PC Case No. 17-03 for a commercial building within the General Business District per Clayton Codified Ordinance Section 1187.18 *et seq.* and submitted on October 5, 2017, by John Brumbaugh, PE, PS, on behalf of Casey's General Store, Inc. for the property located at 6703 Salem Avenue (Parcel # M60-03207-0013) **with the specified condition that the applicant provide**

landscaping along the entrance drive on Salem Avenue to block light, sound and possible trash is hereby approved.

2. That the applicant's proposal to use wood to construct the seven foot tall fence within the required buffer yard along the north property line is hereby approved.

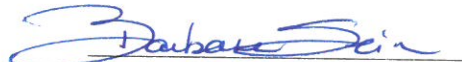
3. That this Resolution shall be effective as an exception to any ordinance, resolution or other legislation of the City of Clayton, Ohio, inconsistent with this Ordinance or which imposes additional requirements for effectiveness or validity.

ADOPTED BY COUNCIL ON NOVEMBER 16, 2017.

AUTHENTICATION:

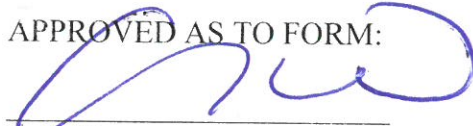


Mayor (Presiding Officer of Council)



Clerk of Council

APPROVED AS TO FORM:




Law Director

CERTIFICATION OF PUBLICATION

This shall certify that the text of the above referenced enactment or a summary thereof was published once in the following newspaper and a summary posted in three places of public access as designated by Council.

Name of newspaper Date of publication
Englewood Independent November 30, 2017



Clerk