

AN ORDINANCE GRANTING A CONDITIONAL USE PERMIT FOR CINDY CAWTHORNE, 14232 BENNETT ROAD, PPN 487-01-029, TOWN CENTER DISTRICT-1, PROPERTY OWNER ROBERT NOTARIANNI, FOR THE PURPOSE OF OPERATING A DRIVE THRU BEVERAGE STORE, AND DECLARING AN EMERGENCY

WHEREAS: Cindy Cawthorne has submitted an application for a Conditional Use Permit for the purpose of operating a drive-thru beverage store at 14232 Bennett Road, PPN 487-01-029, which property is currently zoned Town Center District-1 and which is currently owned by Robert Notarianni; and

WHEREAS: The Planning Commission recommended approval of this application at their meeting on April 26, 2006, with the condition that the applicant satisfactorily meet all of the requests and issues of the Architectural Review Board on this store front, and that the north side of the building be addressed as well, with the understanding that there will be continuing, ongoing maintenance and upgrading as needed and dictated; and

WHEREAS: Pursuant to NRCO 1262.07, Council has the authority to approve or disapprove such applications; and

WHEREAS: Council desires to approve this application.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH ROYALTON, COUNTY OF CUYAHOGA AND STATE OF OHIO THAT:

Section 1. Council hereby approves the application of Cindy Cawthorne granting a Conditional Use Permit for the purpose of operating a drive-thru beverage store at 14232 Bennett Road, PPN 487-01-029, which property is currently zoned Town Center District-1 and which is currently owned by Robert Notarianni, with the condition that the applicant satisfactorily meet all of the requests and issues of the Architectural Review Board on this store front, and that the north side of the building be addressed as well, with the understanding that there will be continuing, ongoing maintenance and upgrading as needed and dictated.

Section 2. This Conditional Use Permit is approved only for the uses stated herein.

Section 3. The Law Department shall prepare the Conditional Use Permit which shall, at a minimum, include therein any conditions imposed by the Planning Commission or this Council and compliance with all provisions of the Planning and Zoning Code of the City of North Royalton.

Section 4. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 5. This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of the city, and for the further reason that this Council desires to immediately approve this Conditional Use Permit application.

THEREFORE, provided this Ordinance receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, from and after the earliest period allowed by law.

PRESIDENT OF COUNCIL

APPROVED: _____
MAYOR

DATE PASSED: _____

DATE APPROVED: _____

First reading May 16, 2006
Sponsorship withdrawn May 23, 2006

ATTEST: _____
DIRECTOR OF LEGISLATIVE SERVICES

YEAS:

NAYS: