



**CITY OF WESTLAKE, OHIO
ORDINANCE NO. 2015-3:**

**AN ORDINANCE APPROVING A
CONDITIONAL USE PERMIT FOR A
HEALTH EDUCATION AND BODY
CONDITIONING COMPANY.**

WHEREAS, Jeff Makowski, Jr., of The Diamond Factory, Inc., has submitted a request to the Council of the City of Westlake, Ohio, for a Conditional Use Permit for the property at 28045 Ranney Parkway, Suites L and M, Westlake, Ohio, Permanent Parcel No. 212-07-003 for the ability to operate a health education and body conditioning company; and

WHEREAS, after receiving the current application, the application was sent to the Planning Commission for its review, and the Planning Commission recommended approval of the Conditional Use Permit; and

WHEREAS, this Council provided and held a Public Hearing on the application for the Conditional Use Permit.

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

Section 1: That this Council does hereby approve the application of The Diamond Factory, Inc. for a Conditional Use Permit for the property at 28045 Ranney Parkway, Suites L and M, Westlake, Ohio, Permanent Parcel No. 212-07-003 for the ability to operate a health education and body conditioning company, which said use is to be conditioned only within the areas located within the address described in this Ordinance.

Section 2: That this Conditional Use Permit application is approved upon the following terms and conditions:

1. A modification is granted to reduce the total number of required parking spaces by six (6).
2. Not more than eighteen (18) parking spaces shall be utilized during regular business hours.

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3. The approval is subject to approval of the final plans by the Building and Engineering Departments in compliance with the code and the ordinances of the City of Westlake; and, in the development process, should there be any changes necessitated by engineering requirements that visually alter the appearance of the development approved by the Planning Commission, the plan shall be re-submitted to the Planning Commission.

Section 3: That the approval of this Conditional Use Permit shall become null and void if the operation of the conditional use permit is contrary to law and/or the conditions of this Ordinance and the Conditional Use Permit shall not be transferable to another location without a new Conditional Use Permit being obtained but would be transferable at the location described in Section 1 hereof to a new owner subject to all the terms and conditions thereof.

Section 4: That it is found and determined that all formal actions of this Council concerning and relating to this legislation were adopted in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements including Section 10, Article XI of the Charter of the City of Westlake and Section 121.22 of the Ohio Revised Code.

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

First Reading: 1/6/15

Referred to Planning Commission: 1/6/15

Report of Planning Commission on: 2/2/15

The Planning Commission recommended to Council that this Ordinance be:

Approved: Disapproved:

Second Reading: 2/5/15

Public Hearing: 2/19/15

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Passed: 2/19/15



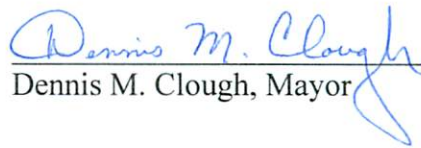
Michael F. Killeen
President of Council

Presented to Mayor: 2/20/15

Approved: 2/20/15

ATTEST:


Denise L. Rosenbaum, Clerk of Council



Dennis M. Clough, Mayor

I, Denise L. Rosenbaum, Clerk of Council of the City of Westlake do hereby certify that Ordinance/Resolution no. 2015-3 adopted 2/19/15 was duly posted on 2/20/15 and remained posted for a period of 15 days thereafter in not less than 2 of the most public places in the City as determined by the Charter of said City.