

RESOLUTION NO. 2018-107

A RESOLUTION TO SET A PUBLIC HEARING BEFORE THE ZONING BOARD OF APPEALS IN THE MATTER OF ROBERTS REAL ESTATE (DAIRY QUEEN)

WHEREAS, the Planning Commission, in approving a conditional use permit for the Dairy Queen Store located at 407 South Cochran Avenue, imposed a condition prohibiting the installation of an outdoor order speaker system by customers using the drive-through service; and

WHEREAS, Roberts Real Estate, owners of the Dairy Queen store, appealed the imposition of the aforementioned condition to the Zoning Board of Appeals; and

WHEREAS, the City Council, acting as Zoning Board of Appeals, held a hearing on the appeal on February 26, 2018 and affirmed the action of the Planning Commission; and

WHEREAS, Roberts Real Estate appealed the action of the Zoning Board of Appeals to Circuit Court and Judge Cunningham has remanded the matter to the Zoning Board of Appeals;

NOW, THEREFORE, BE IT RESOLVED that the City Council does hereby set another public hearing before the Zoning Board of Appeals regarding Roberts Real Estate original appeal for Monday, September 24, 2018 at 7:00 p.m. in the City Hall Council Chambers and directs the City Clerk to publish notices of the public hearing in accordance with the provisions of the zoning ordinance.