

ORDINANCE NO. 18 - 25

By: Sam Marcellino

An Ordinance to amend the Bed and Breakfast variance at 519 South Drexel Avenue in the City of Bexley, Ohio.

WHEREAS, In 2013, City Council granted a variance to the owners of 519 South Drexel Avenue to modify the former multi-family residential structure and to convert it into a single-family residential structure configured for use as a Bed and Breakfast establishment; and

WHEREAS, In 2021, City Council amended the variance to accommodate Capital University's purchase and use of the property; and

WHEREAS, Capital University has listed the property for sale, and a new owner is interested in perpetuating the use of the property with a modified operating model;

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

Section 1.

That a variance is hereby provided, to permit a Bed and Breakfast use at 519 South Drexel Avenue in the City of Bexley, Ohio, with the use subject to the following conditions:

- (1) Owner. The owner of the Bed and Breakfast shall occupy and live full-time on the premises, **except as otherwise provided in (8).**
- ~~(2) Employees. No more than one employee shall be permitted to work on the premises at any time, and none shall be present between the hours of 11:00 p.m. and 6:00 a.m., except as otherwise provided in (9). Members of the owner's immediate family who are residents on the premises shall not be considered employees, whether or not paid.~~
- (2) Guest rooms. The Bed and Breakfast shall have a maximum of ~~five~~ **six** guest rooms **and one apartment unit on the second floor.** Guest rooms must have their own attached bathrooms. There shall be no more than twelve (12) adult guests at one time **in the guest rooms.** For the purpose of this section, "adult" means any person over the age of eighteen (18). Smoke detectors shall be provided in each guest room. No cooking facilities nor portable heating devices shall be permitted in guest rooms.
- (3) Consecutive nights. The maximum length of stay for any guest is fourteen (14) consecutive nights, **with the exception of the second floor apartment unit, which may be leased for a length greater than fourteen (14) nights.**
- (4) Parking. A minimum of one off-street (1) space for each guest room shall be provided with ~~two~~ **one** additional spaces provided for the ~~owner~~ **occupant of the apartment unit** in addition to those for the guest rooms. All on-site parking shall install and maintain fencing or a hedge to adequately screen neighbors from its view. [NEED TO CONFIRM THERE ARE CURRENTLY 7 SPACES]
- (5) Exterior appearance/signage. There shall be no change in the outside appearance of the building or premises that detracts from the residential character of the residence or from the residential character of the neighborhood, or other visible evidence of the conduct of such Bed and Breakfast residence other than one sign

identifying the property as a bed-and-breakfast inn. The sign shall not exceed three square feet in area and shall be mounted on the front of the residence.

- (6) Food. Any food service shall be limited to breakfast for those purchasing lodging and shall not be advertised to the general public as a restaurant.
- (7) Licenses. All state and local fire, sanitation and food service provisions must be met and appropriate licenses obtained.
- (8) **Offsite Owner. The owner(s) of the Bed and Breakfast may reside offsite if:**
 - (a) At least a majority of the owners have a principal residence within the City of Bexley; and**
 - (b) They, or their agent, pays a visit to the property at least one time per day, in which they or their agent enters the property, observes its condition, and provides or provides for any necessary cleaning or maintenance. Reasonable accommodation will be made for unpredictable extenuating circumstances preventing the daily visit clause.**

~~Capital University Ownership. In the event that the property is owned by Capital University, either directly or through a wholly owned subsidiary, items (1) and (2) do not apply, but the following conditions do apply:~~

- ~~(a) — An employee of Capital University shall occupy and live full time on the premises. Members of this employee's immediate family who are residents on the premises shall not be considered employees, whether or not paid. No other employees working at the Bed and Breakfast shall be on the premises between the hours of 11:00 p.m. and 6:00 a.m., unless required to respond to an emergency.~~
- ~~(b) — The Bed and Breakfast shall remain available to the public, and shall be consistently and publicly marketed as a Bed and Breakfast.~~
- ~~(c) — The Bed and Breakfast shall not be occupied by students enrolled in Capital University, unless said student has paid for and booked accommodation via publicly available booking systems at a market rate, or is staying with another guest who has.~~

Section 2.

That this Ordinance shall otherwise go into effect and be in force from and after the earliest period allowed by law.

Passed: _____, 2025

Attest: _____
Clerk of Council

Monique Lampke, President of Council

Approved: _____, 2025

Ben Kessler, Mayor