

ORDINANCE NO. 19-46

By Mr. Stackhouse

Providing for special permit to German Heurich to construct two 4-family dwelling houses on premises hereinafter described.

WHEREAS, German Heurich has submitted to Council plans and specifications for two 4-family dwelling houses which he proposes to construct upon Lots Nos. 88, 89 and 90 of Bexley Drive Subdivision No. 3, which said lots are situated in Class 2 district as defined in Ordinance No. 456, commonly called the Zoning Ordinance but which lots are not of sufficient area to provide 3500 square feet per family as required by the provisions of said zoning Ordinance, and,

WHEREAS, said German Heurich is the owner of approximately 36 feet off the west ends of Lots Nos. 85, 86 and 87 of said Bexley Drive Subdivision No. 3, which parts of said lots adjoin the above Lots Nos. 88, 89 and 90 on the rear thereof and which parts of lots he proposes to include as a part of the building site, or area to be used for yard purposes, for said multiple dwellings and which said portions of lots are located within Class 1 district of said zoning Ordinance, and,

WHEREAS, the zoning Commission has granted an exception to said German Heurich of the requirements of said zoning Ordinance of 3500 square feet per family in Class 2 District, in view of his intentions to use said portions of said Lots Nos. 85, 86 and 87 for yard area for said multiple dwellings, and has recommended said exception to the Council subject to the condition that neither German Heurich, nor any subsequent owner, shall be permitted to erect any building on said portions of said Lots Nos. 85, 86 and 87, and that he shall keep the apartments as far from Class 1 District as possible upon said premises, the location of buildings to be approved by the Building Inspector; and Council being of the opinion that a special permit should be granted to

said Heurich to construct said multiple dwellings in accordance with his said plans and specifications, subject to his agreement which shall be binding upon himself, his heirs and assigns, to set apart as part of the building site, the same to be used for yard purposes in connection with said multiple dwellings, said 36 feet off of the rear of said Lots Nos. 85, 86 and 87, NOW THEREFORE:

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

Section 1. That the plans and specifications for two 4-family dwelling houses heretofore submitted to Council by German Heurich, together with his application for building permits, to construct two 4-family dwelling houses upon Lots Nos. 88, 89 and 90 of Bexley Drive Subdivision No. 2, and 36 feet off of the west ends of Lots Nos. 85, 86 and 87 of said subdivision (which said parts of said lots shall be used for yard purposes in connection with said multiple dwellings) be and the same are hereby approved, upon the following conditions and agreements, which, by the acceptance of the terms of this ordinance, shall be agreed to by said German Heurich on behalf of himself, his heirs and assigns, to-wit:

That said two 4-family dwellings shall be located upon said lots in accordance with provisions of said Zoning Ordinance and to the approval of the Superintendent of Building; that said portions of said Lots Nos. 85, 86 and 87 shall be permanently enclosed with and used for yard purposes in connection with said multiple dwellings and shall not be otherwise built upon or disconnected from said multiple dwellings so long as said buildings are maintained upon said Lots Nos. 88, 89 and 90.

Section 2. That this ordinance shall take effect and be in force from and after the earliest period allowed by law and after the acceptance of the terms hereof by the said German Heurich as hereinabove provided.

Passed May 14, 1946.

S. H. Artmaier
S. H. Artmaier
President of Council
Pro-tempore

S. W. Roderick
Attest S. W. Roderick
Clerk

Approved May 14, 1946.

W. A. Schneider
W. A. Schneider
Mayor

The undersigned, German Heurich, for himself, his heirs and assigns, hereby accepts the terms and conditions of the foregoing ordinance and agrees to comply in all respects with, and to be bound by the provisions of said ordinance.

May 20, 1946. German Heurich

I, S. W. Roderick, Clerk of Council, City of Bexley, Ohio, do hereby certify that there is no newspaper published in said municipality and that publication of the foregoing ordinance was duly made by posting true copies thereof at five of the most public places in said municipality as determined by the Council as follows: Main Street and Parkview Avenue, Main Street and College Avenue, Main Street and Drexel Avenue, Broad Street and Drexel Avenue, and Parkview Avenue and Clifton Avenue, each for a period of fifteen days commencing on the 15th day of May, 1946.

S. W. Roderick
S. W. Roderick
Clerk of Council, City of
Bexley, Ohio

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