

ORDINANCE NO. 15-55

By: Mr. _____

To amend and supplement Ordinance No. 456 by rewriting Sections 2 (including 2a. through 2c.), 7 (including 7a. through 7 e. and adding Sections 7f. and 7g.), and 8 and to repeal existing Sections 2 (including 2a. through 2c.), 7 (including 7a. through 7e.), and 8 of said Ordinance and to declare an emergency.

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

Section 1. That Section 2. of Ordinance No. 456 is amended to read as follows:

Section 2. For the said purposes the said City shall be divided into districts of three classes, as follows:

Section 2a. Class 1, or Single Family House Districts.
Any and all parts of said City and all lots lying therein not otherwise described, districted and classified by ordinance of said City, shall be Class 1 Districts.

Section 2b. Class 2 or Two Family House District.
The following described parts of said City, and all lots and lands lying therein, shall be Class 2 Districts, to-wit:

The area lying within the following described boundaries, beginning at a point in the west corporation line and the northwest corner of Lot #51 of Mayfield Place Addition; thence easterly with the north line of said Lots Nos. 51 and 50 of Mayfield Place Addition to the center line of Mayfield Place; thence southeasterly with the center line of said street approximately 357 feet to a point in the center of Mayfield Place; thence easterly with the north line of Lots Nos. 38-23 and 18 of Mayfield Place to the northwest corner of Lot No. 3; thence southeasterly with the west line of Lot No. 3 to the southwest corner of said Lot No. 3 and 105 feet from the north line of Livingston Avenue; thence easterly and parallel with and 105 feet therefrom to a point 264 feet from the center line of College Avenue, thence northerly and parallel with College Avenue to a point 165 feet from the center line of Livingston Avenue measured parallel with College Avenue; thence east and parallel with Livingston Avenue to a point one-half way between College Avenue and Sheridan Avenue; thence northerly and one-half way between College Avenue and Sheridan Avenue to a point in the north line of Lot No. 27 Bexley Drive Subdivision; thence west with said north line of Lots Nos. 27 and 25 to the northwest corner of said Lot No. 25; thence northerly parallel to Sheridan Avenue and 150 feet therefrom to the northwest corner of Lot No. 1 of Sheridan Avenue Subdivision; thence east with north line of said Lot No. 1 - 12.9 feet; thence north with the east line of Bexley Drive Subdivision to the northwest corner of Lot No. 19 of said Subdivision; thence west and parallel with Main Street to the west corporation line; thence southerly with the west corporation line to the place of beginning.

The area lying within the following described boundaries is also included in Section 2b, Class 2: Beginning at a point in the west line of Drexel Avenue 150 feet south of the south line of Bryden Road; thence westerly and parallel with Bryden Road and 150 feet therefrom 154.4 feet to a point; thence south and parallel with Drexel Avenue 105.73 feet to a point in the north line of Lot No. 5 of Capital University Subdivision; thence westerly with the north line of said Lot No. 5, 37.9 feet to a point; thence southerly 145.9 feet to a point, said point being the northwest corner of Lot No. 1 of Capital University Subdivision; thence easterly and parallel with Main Street and 192 feet therefrom to the west line of Drexel Avenue; thence northerly with the west line of Drexel Avenue to the place of beginning.

The area lying within the following described boundaries is also included in Section 2b, Class 2: All property bounded on the west by the center line of the first alley east of Cassady Road, on the south by the north lot line of Ruhl

Avenue, on the east by the east corporation line; and on the north by the north corporation line.

Also the area on the west side of Cassady Road lying between Stanbery Drive and Caroline Avenue, consisting of Lots Nos. 42-43-44-45-46-47 and 22 feet off the east side of Lot No. 48 of the Bexley Woods Addition.

Section 2c, Class 3, or Retail Business Districts.

The following described parts of said City and all lots and lands lying therein, shall be Class 3, Districts, to-wit:

Beginning at a point in the west corporation line in Alum Creek and 150 feet north of the north line of Main Street; thence east and parallel with Main Street and 150 feet therefrom to the west line of Lot No. 9 Wells Heirs Subdivision; thence with the West line of Lot No. 9 to a point 10 feet South of the North West corner of said lot; thence easterly parallel to, and 10 feet South of the North line of Lot No. 9 of H. C. Wells Heirs Subdivision and the north line of Lots Nos. 1, 2, 3, 4, 5, 6, 7, 8, and 9 of G. N. Tussing Subdivision to the East line of said Lot No. 9; thence South 138.37 feet to the northwest corner of Lot No. 1 of Capital University Subdivision; thence with the North line of Lots Nos. 1, 2, 3, Capital University Subdivision to center line of Drexel Avenue; thence North with center line of Drexel Avenue to a point 235 feet North of the North line of Main Street; thence easterly and parallel to Main Street to the east line of Lot No. 9 of Thomas Miller estate; thence South with the East line of Lot No. 9 to a point 169 feet North of the north line of Main Street; thence East and parallel with Main Street and 169 feet from the North line thereof, to the East Corporation Line; thence south with the east corporation line to a point 150 feet south of the south line of Main Street; thence west and parallel with the south line of Main Street and 150 feet therefrom to the center line of Pleasant Ridge Avenue; thence north with the said center line to the center line of Main Street; thence west with the center line of Main Street to the center line of Sheridan Avenue; thence south with the center line of Sheridan Avenue to a point 150 feet from the south line of Main Street; thence west with the north line of Lot No. 19 of Bexley Drive Subdivision to the west line of said subdivision; thence west and parallel with Main Street to the west corporation line; thence northerly with the west corporation line to the place of beginning.

All lots fronting on the east side of Cassady Road between the north corporation line and the north line of Ruhl Avenue, and the lots fronting on the west side of Cassady Road from the north corporation line to the north line of Caroline Avenue.

All property on the north side of Livingston Avenue, bounded as follows: Beginning at a point in the north line of Livingston Avenue at the division line between Lots Nos. 5 and 6 of Brooks' Parcel Plat; thence north with the said division line to the northeast corner of Parcel No. 4; thence west with the north line of Parcel No. 4 to the east line of College Avenue; thence westerly to a point in the west line of College Avenue, which point is 165 feet from the center of Livingston Avenue measured on the line of College Avenue; thence west and parallel with Livingston Avenue to a point 264 feet west of the center line of College Avenue; thence southerly and parallel with College Avenue to a point 105 feet north of the north line of Livingston Avenue; thence westerly and parallel with Livingston Avenue and 105 feet therefrom to the southwest corner of Lot No. 3 of the Mayfield Subdivision; thence northwesterly with the west line of Lot No. 3 to the northwest corner, thence westerly with the north line of Lots 18-23 and 38 to a point in the center line of Mayfield Place; thence northwesterly with the center line of Mayfield Place approximately 357 feet to a point in center line of said street; thence westerly with the north line of Lots Nos. 50 and 51 to the west corporation line; thence southerly with the west corporation line to the north line of Livingston Avenue; thence east with the north line of Livingston Avenue to place of beginning.

Section 2. That Section 7. of Ordinance No. 456 is amended and supplemented to read as follows:

Section 7. In Class 3 districts buildings and premises may be erected

and used for retail stores, banks, offices, studios, telephone exchanges, fire stations, theatres (including moving pictures), halls, private clubs, restaurants, bakeries, gasoline filling stations, or any building or use which in the opinion of the Council is of a character similar to those enumerated in this section. The manufacture of articles for sale at retail on the premises may be permitted by special action of the Council. Provided that if single or two family houses are constructed in business districts, all provisions set forth in Sections 5c, 5d, 5e and 5f of this ordinance as applying to Class 1 districts, and Sections 5 and 5f applying to Class 2 districts shall apply in full to Class 3 districts. In Class 3 districts buildings may also be erected and premises used as apartments which apartments may be on all floors or on upper floors over rooms occupied for said approved uses.

Section 7a. In Class 3 districts no building shall be erected to a height of more than three stories.

Section 7b. In Class 3 districts no building shall be erected nearer to the front street line (as said line is defined in Section 5c of Article II) than thirty (30) feet, and on corner lots in said districts no building shall be erected nearer to the side street line (meaning the boundary line between such lot and the area dedicated for highway purposes along the side thereof) than five (5) feet, except, however, on the north side of Livingston Avenue between College Avenue and the west corporation line, no building shall be erected nearer to the center line of Livingston Avenue than sixty (60) feet, and any detached garage or other outbuilding shall be at least twenty (20) feet from the side street line.

No building shall be erected or used in any Class 3 district for business purposes, as defined in Section 7 of Article II, unless same shall face upon the front street line as above defined.

No house intended for residence purposes shall be erected on any lot or parcel of land in any Class 3 district containing less than 7,500 square feet per house, provided that one single family dwelling may be erected on any lot now separately owned or on any numbered lot in a recorded subdivision now on record in the office of the County Recorder.

Section 7c. In Class 3 districts, for every building erected, there shall be a side yard along one side of such building of sufficient width to permit fire fighting equipment to reach the rear yard, and the same shall be kept clear for the passage and use of such equipment for a width of not less than 8 feet; provided, however, that if the rear yard abuts on a public alley or street, such side yard shall not be required.

Section 7d. In Class 3 districts each building shall be provided with a rear yard not less than 20 feet in depth from the rear line of the building to the rear line of the lot, and of the same width as the lot, which 20 feet may be used for parking. Garages and other proper outbuildings may be erected in such rear yard, provided that ample space be left open for the entrance and use of fire apparatus.

Section 7e. In Class 3 districts any building erected for use as apartments shall comply with the following requirements:

<u>Type Unit</u>	<u>Minimum Ground Area Per Unit</u>	<u>Minimum Floor Area Per Unit</u>
Efficiency	800 sq. ft.	300 sq. ft.
1 Bedroom	1200 sq. ft.	400 sq. ft.
2 Bedroom	1600 sq. ft.	500 sq. ft.
3 Bedroom	1800 sq. ft.	600 sq. ft.

Section 7f. In Class 3 districts no building shall be erected for use as apartments unless usable off street parking of at least 200 square feet per unit is provided.

Section 7g. In Class 3 districts any building containing apartments shall not be erected until the plot plan for said building has been approved by the planning commission.

Section 3. That Section 8. of Ordinance No. 456 is amended to read as follows:

Section 8. No buildings or premises shall hereafter be erected, altered or used in any district for any of the following purposes: Multiple dwelling (except as provided in Section 5, 6 and 7 of this plan), bill boards or advertising signs, refuse dumps, veterinary hospitals, scrap iron or junk storage, reduction plants, sewage disposal plants, explosive storage, wholesale produce, manufacture of fertilizer, acids, explosives, glue or soap, stock yards, used car sales or storage, or any other purpose which may cause noxious odors, danger of explosion, undue fire hazard, or such noise or otherwise as to be a public nuisance, or as nursing homes, rest homes, invalid homes or any similar use. No premises shall be used for sand or gravel pits except by special permit issued by the Council on satisfactory guarantee that such pits will be properly refilled to suitable elevation for building permits within reasonable time.

Section 4. That existing Sections 2 (including 2a through 2c), 7 (including 7a through 7c), and 8 of Ordinance No. 456 are hereby repealed.

Section 5. That this ordinance is hereby declared to be an emergency measure because of the urgent necessity for the proper development of Bexley and the general protection of property values and for the preservation of the public peace, health, welfare and safety and shall take effect and be in force from and after its passage and approval by the Mayor.

Adopted 3/27, 1956

Attest:

W.C. Finsett
Clerk of Council

C. J. Kuntz
President of Council

Approved: 3/27, 1956

J. H. Schmidt
Mayor