

ORDINANCE NO. 28-80

By: Frederick M. Mann

An ordinance to rezone the property located at 2215 and 2231 Bryden Road, also known as Lots 4, 5, 6, and 8 of Robinson and Wright's Addition, from R-3 (Low Density Single Family Residential) to PUR, (Planned Unit Residential), to the district boundaries on the Official Zoning Map accordingly, and to approve the detailed development plan for the development of the district.

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

Section 1: That an application has been submitted by Bexley Properties to rezone the property located at 2215 and 2231 Bryden Road (Lots 4, 5, 6, and 8 of Robinson and Wright's Addition) from R-3 to PUR (Planned Unit Residential);

Section 2: That a detailed development plan has been submitted in full compliance with all requirements of the Bexley Zoning Code (Section 1264.21) and with the criteria provided by the Zoning Officer and the Bexley Planning Commission;

Section 3: That the detailed development plan has been fully reviewed by the Zoning Officer, the Planning Commission and the Board of Zoning Appeals and written advice has been provided by them to Council;

Section 4: That a public hearing has been held on the application by the Bexley Planning Commission on March 18, 1980 and that the application has been further considered by that Commission on April 15, 1980;

Section 5: That under all the circumstances, preliminary approval is hereby given to the detailed development plan submitted by the applicant, which plan is attached to this Ordinance, made a part hereof, and fully incorporated herein, and signed and dated by the members of council to identify it as the original development plan, and the property in question, more fully identified in Section 1, is hereby rezoned to the classification of a Planned Unit Residential District (PUR) conditioned on the final approval by Council of the detailed development plan in full compliance with the requirements of the Zoning Code;

Section 6: That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: \_\_\_\_\_, 1980

\_\_\_\_\_  
President of Council

Attest:

\_\_\_\_\_  
Clerk of Council

Approved: \_\_\_\_\_, 1980

\_\_\_\_\_  
Mayor

*1st reading 5-9-80*

*2nd reading 5-13-80*

*Tabled to June 10, 1980*

*June 10, 1980 - removed from table*

THE COLUMBUS DISPATCH  
PROOF OF PUBLICATION

STATE OF OHIO, FRANKLIN COUNTY, ...

Lee Harrington  
Classified Adv. Manager

of The Dispatch Printing Company, Publishers of  
The Columbus Dispatch, a newspaper published  
at Columbus, Franklin County, Ohio, with a daily  
paid circulation of more than 25,000 copies, per-  
sonally appeared and made oath that the notice of  
which a true copy is hereunto attached was pub-

lished in The Columbus Dispatch for 1

time to-wit, on May 12th, 1980.

and that the rate charged therefor is the same as  
that charged for commercial advertising for like  
services.

Subscribed and Sworn to, this 12th

day of May 19 80 as  
witness my hand and seal of office.

*Cornelia R. Koebel*  
Notary Public in and for Franklin County,  
State of Ohio.

CORNELIA R. KOEBEL  
NOTARY PUBLIC - STATE OF OHIO  
MY COMMISSION EXPIRES JANUARY 3, 1984

MAY 14 1980

**PUBLIC NOTICE**  
Notice is hereby given that a  
Public Hearing will be held on  
June 10, 1980 at Bexley City  
Hall, City Council Chambers,  
2242 East Main Street, Bexley,  
Ohio on Ordinances No. 27-80  
and 28-80 which propose to  
rezone the property located  
on the south side of Main  
Street, between Alum Creek  
on the west and Sheridan Ave-  
nue on the east, from Office  
Commercial (OC) to Commu-  
nity Commercial (CC) and to  
rezone the property located at  
2215 and 2231 Bryden Road  
from Low Density Single Fam-  
ily Residential (R-3) to  
Planned Unit Residential  
(PUR) and to amend the Offi-  
cial Zoning Map accordingly.  
Any person interested in this  
zoning ordinance may attend  
and present his views at City  
Council at that time.

City of Bexley  
John W. Hornberger  
Auditor, Clerk  
of Council

5/12



TOM MOODY  
MAYOR  
BERNARD T. CHUPKA  
DIRECTOR  
DEPARTMENT OF PUBLIC SAFETY

**CITY OF COLUMBUS**  
**OHIO**

RAYMOND R. FADLEY  
FIRE CHIEF

**DIVISION OF FIRE**

200 Greenlawn Avenue - Columbus, Ohio 43223  
Telephone - 614-221-3132

June 10, 1980

TO WHOM IT MAY CONCERN:

Re: Bexley Properties Home Project at Bryden Rd. & Columbia Avenue

The Columbus, Ohio Fire Prevention Bureau has reviewed the site plan for the above mentioned project and has the following recommendations:

1. A fire hydrant is to be provided within 200 feet of the terminus of the dead end street.
2. All of the 76 feet diameter turnaround be free from obstructions and be capable of supporting fire apparatus.
3. Parking not be permitted within the pavement of the 18' wide street.

If you have any questions or wish to discuss this matter further, please feel free to call me at 222-7641.

Sincerely,

FIRE PREVENTION BUREAU

Ralph Billiter  
Civil Engineering Associate

RB:pkn

AMENDED

ORDINANCE NO. 28-80

By

Frederick M. Mann

To amend the Official Zoning Map adopted as a part of Ordinance No. 8-72 (now Chapters 1240 to 1268, inclusive, of the Codified Ordinances of the City of Bexley), by transferring the following described property:

PARCEL I:

Being the west one-half of Lot Number Forty-eight (48) of ROWND and KNAUSS' PARK VIEW SUBDIVISION of Half Section No. 20, Township No. 5, Range No. 22, Refugee Lands, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 4, page 47, Recorder's Office, Franklin County, Ohio.

PARCEL II:

Being Lot Number Forty-nine (49) and 12.41 feet off the east side of Lot Number Fifty (50) of ROWND and KNAUSS' PARK VIEW SUBDIVISION of Half Section No. 20, Township No. 5, Range No. 22, Refugee Lands, as the same are numbered and delineated upon the recorded plat thereof, of record in Plat Book 4, page 47, Recorder's Office, Franklin County, Ohio, EXCEPTING THEREFROM any interest owned by third parties in a strip of land approximately 5 feet 10 inches in width off the south side of the above described premises as found by the Franklin County Court of Common Pleas in Case No. 60113 (Order Book 163, page 239),

from the Low Density Single Family Residential District to the Planned Unit Residential District; and to give final approval of the development plan for said tract of land.

WHEREAS, preliminary approval has been given to the detailed development plan submitted as a part of the application for the PUR District Amendment to the official zoning map, said detailed development plan consisting of a drawing entitled Site Concept Development Plan, prepared by Trott & Bean Associates, and dated ~~December 3, 1979~~<sup>July 12, 1980</sup>, a drawing entitled Site Concept Elevation Drawing, prepared by Trott & Bean Associates, and dated ~~December 3, 1979~~<sup>June 12, 1980</sup>, three pages of text entitled "Statement of Appropriateness", dated June 12, 1980, and submitted by Bexley Properties, four pages of text entitled "Architectural Criteria", dated June 12, 1980, and submitted by Bexley Properties, a drawing entitled Site Plan, prepared by Trott & Bean Associates, and dated May 22, 1980; and a survey map prepared by Myers Surveying Company and dated October 29, 1979 and a conditional letter of approval from the City of Columbus, Division of Fire; and

WHEREAS, recommendations for approval of the application for amendment have been received in written form from the Zoning Officer, the Planning Commission and the Board of Zoning Appeal; and

WHEREAS, the detailed development plan has demonstrated that the proposed development will fit the intent of the Zoning Ordinance, will be compatible with existing development in the community and beneficial to the City of Bexley; and

WHEREAS, the detailed development plan has further demonstrated that the design and features of the proposed project warrant and justify the amendments of the Official Zoning Map and, additionally, that such amendment will not be detrimental to the City nor to residents of the surrounding area; and

WHEREAS, the detailed development plan has further demonstrated that development of the proposed project is programmed in such a manner that at the end of any one stage of development, the project will meet the intent of the Zoning Ordinance; and

WHEREAS, there are facts as set forth in the said "Statement of Appropriateness" which make the subject land unique and materially different from other lands in the City of Bexley and which make it desirable that said land be developed with the controls afforded by the Planned Unit Residential District even though said land has an area of less than 2 acres and a width of less than 250 feet; NOW, THEREFORE,

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

Section 1. That the Official Zoning Map adopted as a part of Ordinance No. 8-72 (now Chapters 1240 to 1268, inclusive of the Codified Ordinances of the City of Bexley) is hereby amended by transferring the following described property:

PARCEL I:

Being the west one-half of Lot Number Forty-eight (48) of ROWND and KNAUSS' PARK VIEW SUBDIVISION of Half Section No. 20, Township No. 5, Range No. 22, Refugee Lands, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 4, page 47, Recorder's Office, Franklin County, Ohio.

PARCEL II:

Being Lot Number Forty-nine (49) and 12.41 feet off the east side of Lot Number Fifty (50) of ROWND and KNAUSS' PARK VIEW SUBDIVISION of Half Section No. 20, Township No. 5, Range No. 22, Refugee Lands, as the same are numbered and delineated upon the recorded plat thereof, of record in Plat Book 4, page 47, Recorder's Office, Franklin County, Ohio, EXCEPTING THEREFROM any interest owned by third parties in a strip of land approximately 5 feet 10 inches in width off the south side of the above described premises as found by the Franklin County Court of Common Pleas in Case No. 60113 (Order Book 163, page 239),

from the Low Density Single Family Residential District to the Planned Unit Residential District in order to permit development of said tract of land in accordance with the detailed development plan therefor described in Section 2 of this ordinance.

Section 2. That final approval is hereby given to the detailed development plan for a residential development not to exceed nine units nor to be fewer than six units to be constructed on the tract of land described in Section 1 of this ordinance, consisting of a drawing entitled Site Concept Development Plan, prepared by Trott & Bean Associates, and dated ~~December 3, 1979~~ <sup>April 12, 1980</sup>, a drawing entitled Site Concept Elevation Drawing, prepared by Trott & Bean Associates, and dated ~~December 3, 1979~~ <sup>April 12, 1980</sup>, three pages of text entitled "Statement of Appropriateness", dated June 12, 1980, and submitted by Bexley Properties, four pages

of text entitled "Architectural Criteria", dated June 12, 1980. and submitted by Bexley Properties, a drawing entitled Site Plan, prepared by Trott & Bean Associates, and dated May 22, 1980, and a survey map prepared by Myers Surveying Company and dated October 29, 1979 and a conditional letter of approval from the City of Columbus, Division of Fire.

Section 3. For the reasons stated in the preamble hereof and in order to avoid a hardship, the requirements of the Planned Unit Residential District to the extent that they require an area greater than the area of the subject property or a width greater than that of the subject property are waived and varied to permit development of the subject land in accordance with Sections 1 and 2 hereof.

Section 4. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: June 17, 1980

John H. Hendry  
President of Council

Attest:

John H. Hendry  
Clerk of Council

Approved: June 17, 1980

David H. Madison  
Mayor

Architectural Criteria  
Single Family Houses  
Bryden Road at Columbia  
Bexley, Ohio

The following items, in addition to the site plan and concept elevation drawings dated December 3, 1979, shall be used by the City of Bexley to determine the conformance with the overall design concept as presented on behalf of the property owner to the City authorities.

(A) STREET: A maximum of nine and a minimum of six single-family detached homes with attached two-car garages shall be located upon and served by an eighteen foot wide asphaltic concrete private street with cul-de-sac meeting the city's specification for thickness and composition of base course and wearing surface as well as the specifications for turning radii. There shall be continuous four-foot sidewalk on both sides of said street from Bryden Road to the cul-de-sac, and the street shall be constructed and completed either before or coincident with the construction of the first home or group of homes.

(B) SETBACK, SIDE AND REAR YARDS: The front yard setback from Bryden Road east of the private street will be that of the structure east of the subject property and west of the private street with be that of the structure west of the subject property. In addition, there shall be an eight-foot setback along the east and west property lines of the subject properties. When developed there shall be a minimum distance between structures of ten feet which may be reduced to a six-foot minimum where living areas are not facing each other.

(C) HOME SIZE: The gross area of living space not including garage or basement shall be no less than 1,700 and no more than 2,500 square feet and each home shall be a one and one-half or a two-story structure.

(D) GARAGE AND PARKING AREAS: Each dwelling shall have a two-car attached garage and a pad accommodating at least two additional parking spaces in front of the garage door. The pad shall be of concrete and brick or stone and shall be no more than 60% concrete. Additional parallel parking spaces shall be at least 23 feet long and 8 feet wide. The total number of on-lot and parallel spaces shall be no less than 45

and no more than 55 which maximum and minimum numbers shall be reduced by 5 for each unit actually constructed less than the maximum of nine homes.

(E) FENCING AND SCREENING: Each lot shall employ a combination of low masonry walls, wood screen/ fencing and landscaping to establish a well-defined architectural relationship between the individual dwellings and the cul-de-sac. The treatment shall extend to the rear property line of the individual lots. Fencing shall not impede fire, emergency and police activities. There shall be a solid fence or wall of at least six feet on the rear lot lines representing any part of the east or west property lines of the subject property. Every reasonable effort shall be made to preserve mature trees in the front yard setback along Bryden Road and along the east and west property lines.

(F) HOME EXTERIOR: The basic character of the homes and the relationship of structure shall be typified on the site plan and elevation submitted herewith and dated April 14, 1980. In order to insure the type of structural relationships so shown: there shall be a variable setback from 10 feet to 34 feet; the distances between structures set forth in B hereof shall be maintained, and each lot shall have no more than 42% of its lot area occupied by the home and garage on said lot; provided, however, that in computing said area only five feet off the south side of the Bryden Road setback shall be attributed to the northern-most two lots and no patios or walled-in areas shall be considered as a part of said home; and provided further, that said percentage may be exceeded so long as any excess on one lot is used as a reduction on an adjacent lot so that the homes and garages on the two lots occupy no more than 42% of the area of the two lots.

The major exterior materials shall consist of wood shake roof with a minimum slope of 9/12, exterior walls of brick (one size, color and finish), stone (Ohio field stone, ashlar pattern and smear joint or cut line limestone), stucco (color and texture as selected by the architect and compatible with stucco used within the Bexley Community). At least \$2,000 shall be expended for landscaping for each lot. There shall be no windowless walls facing the east or west property lines of the subject property.



(G) RESTRICTIONS: The deed restrictions attached hereto marked Exhibit 1 and made a part hereof will be contained in each deed to any part of the property.

(H) PHASES: The development will be constructed in no more than two phases and the first phase shall include at least four homes and shall have at least one house on each side of the center of the frontage on Bryden Road, provided that the first phase may consist of three homes if Council is satisfied, as a result of the location of the homes, their physical relationship to one another, and any covenant obligations assumed by the owners of said homes as to the remainder of the property if no further homes are built, that the phase as proposed will, if no other phase is built, meet the criteria and standards herein imposed. Each phase shall be submitted to City Council in order that the Council may ascertain prior to construction that the phase in its specifics and details is in accordance with all documents and representations presented in support of the zoning application and as a part of the development plan. No building(s) shall be erected, placed or altered in either phase nor shall any building permit be issued on any lot until preliminary drawings showing the lot, the location of all structures on the lot, landscaping, the floor plans of the house and garage and elevations and a plan showing the location of the structure have been approved in writing by City Council as to harmony of external design with existing structures as more fully described in paragraph I herein, and as otherwise in accordance with this document, provided that nothing in this sentence shall apply to the alteration of an existing home built in accordance with this paragraph which alteration is not otherwise in violation of the requirements of this document. The first phase submission shall also contain the total street configuration as well as a satisfactory treatment of the land in the second phase in the event that second phase is not submitted to Council within one year after the approval of the first phase. Each phase, if and when approved by Council, will be platted in accordance with said approval prior to construction.

(I) ARCHITECTURE: There shall be a single developer and a single architect for all the homes. The preliminary drawings required by (H) hereof as submitted for each home to be constructed are to reflect an architectural

style and appearance sympathetic with the typical, traditional and historic Bexley residential architecture, and compatible with the style and appearance of the adjacent single-family residential neighborhood and of the Bexley community as a whole, and with a unifying theme throughout the development.

(J) MAINTENANCE: The City of Bexley reserves the right to enter the private street with cul-de-sac and/or any undeveloped portion of the property in order to maintain such property, if such private street with cul-de-sac and/or any undeveloped portion of the property has deteriorated and is constituting a blighting influence on the neighborhood and the community; if such entering onto the property is required in order to maintain such property, the City may assess each owner for such owner's share of the cost of such municipal maintenance.

(K) PROCEDURES: The applicant interprets the zoning code to require submission of preliminary drawings showing the lot, the location of all structures on the lot, landscaping, the floor plans of the house and garage, and elevations of each phase to City Council, prior to construction, to determine whether in its details such phase meets the objectives of the zoning code and is in compliance with the documents, exhibits and other materials submitted as a part of the development plan. Applicant specifically waives any and all objections to such a procedure and specifically represents that it will actively and in all good faith pursue said procedure. Applicant understands that the City of Bexley in any action taken approving said rezoning application will specifically and does specifically rely on this statement, the waiver contained within it and the agreement to comply with said procedures.

*Bexley Properties  
by Harry G. S. H. J.  
June 12 1980*

*Jeffrey A. Paine*  
*Attorney at Law*

1234 E. BROAD  
SUITE 300  
COLUMBUS, OHIO 43205

(614) ~~2XXXXXX~~  
253-7269

June 13, 1980

HAND DELIVERED

Mr. Harrison W. Smith, Jr., Esq.  
Smith & Tobin  
37 W. Broad Street  
Columbus, OH 43215

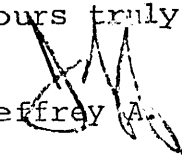
RE: Bexley Properties

Dear Bill:

Enclosed please find a copy of the Declaration of Protective Covenants for the above described property. Mr. Mann requested that we add two additional covenants, boats and trailers and sales price. Please note the new additions.

If you should have any questions, please feel free to contact me.

Yours truly,

  
Jeffrey A. Paine

:cr

Enclosures

DECLARATION OF PROTECTIVE COVENANTS

This Declaration made by BEXLEY PROPERTIES, an Ohio General Partnership,

WITNESSETH THAT:

WHEREAS, Bexley Properties is, at this date, the owner of Lots Number One (1) through Nine (9) inclusive, of the Bexley Properties Subdivision, in the City of Bexley, Ohio, as the same are shown of record in Plat Book \_\_\_\_\_, Page(s) \_\_\_\_\_, Franklin County Recorder's Office.

WHEREAS, it is contemplated that the various lots shall be sold to diverse persons, and that suitable improvements shall be erected thereon.

NOW, THEREFORE, for the benefit and protection of the present and future owners of the several lots, and for the purpose of inducing the purchase thereof by prospective purchasers, the following protective covenants are hereby adopted to govern the future use and improvement of said property.

1. FULLY PROTECTED RESIDENTIAL AREA

The following residential area covenants, in their entirety, shall apply to all the afore-said numbered lots.

2. LAND USE AND BUILDING TYPE

All lots in the above described subdivision, exclusive of reserves, shall be known and described as residential lots, and except for such lot or lots or part thereof as may hereafter be dedicated to public use for access to and from public streets, no lot shall be used other than for residential purposes. No building shall be erected, altered, placed, or permitted to remain on any lot other than one detached single-family dwelling not to exceed two stories in height and a private garage for not more than two (2) cars. Each dwelling shall have a two-car attached garage and a pad accomodating at least two additional parking spaces in front of the garage door. The pad shall be of concrete and brick or stone and shall be no more than 60% concrete. Additional parallel parking spaces shall be at least 23 feet long and 8 feet wide. The total number of on-lot and parallel spaces shall be no less than 45 and no more than 55 which maximum and minimum numbers shall be reduced by 5 for each unit actually constructed less than the maximum of nine homes.

3. DWELLING SIZE

Except as hereinafter provided, floor area of the main structure, exclusive of open porches, garages, shall not be less than 1,700 and no more than 2,500 square feet and each home shall be a one and one-half or a two-story structure.

4. BUILDING LOCATIONS

The front yard setback from Bryden Road east of the private street will be that of the structure east of the subject property and west of the private street will be that of the structure west of the subject property. In addition, there shall be an eight-foot setback along the east and west property lines of the subject properties. When developed there shall be a minimum distance between structures of ten feet which may be reduced to a six foot minimum where living areas are not facing each other.

5. EASEMENTS

Easements for installation and maintenance of utilities and drainage facilities are reserved as shown on the recorded plat.

6. NUISANCES

No noxious or offensive activity shall be carried on upon any lot, nor shall anything be done thereon which may be or may become an annoyance or nuisance to the neighborhood.

7. TEMPORARY STRUCTURES

No structure of a temporary character, trailer, basement, tent, shack, garage, barn or other out-building shall be used on any lot, at any time, as a residence either temporarily or permanently except and limited to the period necessary for construction.

8. SIGNS

No sign of any kind shall be displayed to the public view on any lot except: (1) one sign of not more than 5 square feet advertising the property for sale or rent, or (2) signs used by a builder to advertise the property during the construction and sales period.

9. LIVESTOCK AND POULTRY

No animals, livestock, or poultry of any kind shall be raised, bred, or kept on any lot except that dogs, cats, or other household pets may be kept provided that they are not kept, bred, or maintained for any commercial use.

10. RUBBISH

No lot shall be used or maintained as a dumping ground. Rubbish, trash, garbage, and other waste

shall not be kept except in sanitary containers, and all incinerators or other equipment for the storage or disposal of such material shall be kept in a clean and sanitary condition.

11. DIVERTING FLOW OF WATER

No individual shall be allowed to change grade from established contours than would in any way divert flow of water or restrict flow of water from contours shown on the approved development plan or amendments or changes to the development plan initiated or caused by the developer.

12. FENCING AND SCREENING

Each lot shall employ a combination of low masonry walls, wood screen/fencing and landscaping to establish a well defined architectural relationship between the individual dwellings and the cul-de-sac. The treatment shall extend to the real property line of the individual lots. Fencing shall not impede fire, emergency and police activities. There shall be a solid fence or wall of at least six feet on the rear lot lines representing any part of the east or west property lines of the subject property.

13. SALES PRICE

No house with lot shall be sold to the initial purchaser for a sum of less than Two Hundred Thousand Dollars (\$200,000.00) based upon cost levels prevailing on the date these covenants are recorded, it being the intention and purpose of this covenant to assure that all dwellings shall be of a quality of workmanship and materials substantially the same or better than that which can be produced on the date these covenants are recorded at the minimum cost stated herein for the minimum permanent dwelling size.

14. BOATS AND TRAILERS

No boats or trailers of any kind or type or so called "recreational vehicles" may be parked or stored on any property except in completely enclosed buildings.

15. SEVERABILITY

Invalidation of any one of these covenants by judgment or court order shall in no way affect any of the other provisions which shall remain in full force and effect.

16. TERMS

These covenants are to run with the land and shall be binding as the undersigned and all

persons claiming under it for a period of 30 years from the date these covenants are recorded, after which time said covenants shall be automatically extended for successive periods of 10 years each unless an instrument signed by a majority of the then owners of the lots has been recorded, agreeing to change said covenants in whole or in part.

17. ENFORCEMENT

Enforcement shall be by proceedings at law or in equity against any person or persons violating or attempting to violate any covenant either to restrain violations or to recover damages, or both.

IN WITNESS WHEREOF, Bexley Properties has hereunto caused this instrument to be executed by Jeffrey A. Paine, Peter A. Lorms, and Sidney I. Blatt, General Partners, all duly authorized in the premises, this \_\_\_\_\_ day of \_\_\_\_\_, 1980.

Signed and acknowledged in the presence of:

BEXLEY PROPERTIES, an Ohio General Partnership

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
JEFFREY A. PAINE

\_\_\_\_\_  
PETER A. LORMS

\_\_\_\_\_  
SIDNEY I. BLATT

STATE OF OHIO,  
COUNTY OF FRANKLIN, SS:

Before me, a Notary Public in and for said County, personally appeared Jeffrey A. Paine, Sidney I. Blatt and Peter A. Lorms, General Partners of Bexley Properties, the Ohio General Partnership which executed the foregoing instrument, who acknowledged that they did sign said instrument as said general partners on behalf of said Partnership.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name

and affixed my official seal at Columbus, Ohio, this \_\_\_\_ day of  
\_\_\_\_\_, 1980.

\_\_\_\_\_  
NOTARY PUBLIC



STATEMENT OF APPROPRIATENESS

The two lots involved, commonly known as 2215 and 2231 Bryden Road, are two of a series of lots on the south side of Bryden Road. These lots are 265 feet deep compared to a depth of 133 feet for the lots on the north side of Bryden Road and the more standard depths of other lots backing up to the north side of Main Street. The lots back up to property which fronts on Main Street and the much more intense activity level on Main Street. The lots also form a part of a larger block, bounded by Bryden Road on the north, Drexel Avenue on the east, Main Street on the south, and Parkview Avenue on the west, which not only has commercial use on Main Street but at its east and west ends and directly to the southwest of the subject property has multi-family use. The south side of Bryden Road will function as a transitional area between the commercial use and intensity of Main Street on the south and the single-family residential uses to the north. In part, this transition currently is reflected on the west side of Parkview and on a portion of the west side of Drexel by multi-family uses. In addition, the subject property currently is occupied by two houses, neither of which architecturally or size-wise can be said to be either typical of or consistent with neighboring properties.

Thus, the subject two parcels have a developable area, which area is essentially the rear portion of such parcels, closest on the south to the Main Street commercial use influence, and also close to a multi-family influence, yet which also, on the east, west and north, have a single-family residential influence.

The development of the subject two lots, as proposed, will serve more effectively as a portion of the transitional area by being a more imposing barrier to the commercial pressure from the south and a more protective barrier to the single-family atmosphere to the north.

The determination to use the single-family cluster form will forcefully confirm the single-family residential influence of Bryden Road on both sides of the street. The result of the minimum value and the architectural controls ought to forever insure that the influence of the subject property will be one of quality and value and not detrimental to the neighborhood. Conversely, the influence of the completed homes on the subject property will be beneficial and an asset to the neighborhood and the City as a whole. Additionally, the precise plan of development relates specifically to the uses around the subject property. The rear of the development is toward Main Street and there is neither vehicular nor pedestrian access to or from Main Street. The basic appearance of the development from the general area of Bryden Road and Columbia Avenue will be of two houses, one on each side of the private street and both relating to one another, and to the immediate neighborhood, better than the two houses presently on the site. Upon closer examination, there will be visible other houses further to the rear, (i.e., the south) and which in turn are architecturally compatible with the northernmost two houses of the project and with the homes in the immediate neighborhood.

Pertaining to the existing neighborhood homes on the south side of Bryden Road, the houses in our development will not project beyond the established building setback line so that from Parkview Avenue or Drexel Avenue they will not be visible.

Pertaining to the immediate and adjacent neighbors, the setback line of the two houses in our development will match and neither house will be closer than the houses presently on the lots. The fact that no substantial yard areas are to exist in the rear of homes in the project and that walls will be constructed along the east and west property lines of the development will improve people privacy. More homes than currently exist on the subject lots will be visible to the south, but the

additional homes will be pleasant and attractive to the neighborhood and will interrupt the view to the south which has the commercial influence.

Finally, Council has the two-phase review, conceded by all parties to be proper and appropriate, which will enable Council to test the above statements and enforce the architectural criteria commitments, while looking at the submitted plans for the precise structures to be built.

Respectfully submitted,

BEXLEY PROPERTIES

By Harri W. S. 114  
Jan 12 1980