

SUBSTITUTE ORDINANCE NO. 55 - 88

By: Joanne H. Ranft

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:

4.60 ACRES

Being situated in the State of Ohio, County of Franklin, City of Bexley, and being Lots 9, 10, 11, 12, 13, 14, 15, 16, and a part of Lots 3 and 17 of Hamilton Gardens Addition shown of record in Plat Book 7, Page 138, Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

Beginning at an iron pin at the intersection of the easterly right-of-way line of College Avenue (60 feet wide), with the northerly right-of-way of Astor Avenue (50 feet wide), said point being at the southwesterly corner of said Lot 12;

Thence, North 10 degrees 22 minutes West, along the easterly right-of-way line of said College Avenue, and along the westerly line of said Lots 12, 11, 10, and 9, a distance of 305.78 feet to a point at the northwesterly corner of said Lot 9, (southwesterly corner of Lot 8);

Thence, South 86 degrees 08 minutes East, along the northerly line of Lot 9 (Southerly line of Lot 8), a distance of 180.70 feet to a point;

Thence, North 04 degrees 00 minutes East, across Lot 8, a distance of 3.76 feet to a point;

Thence, South 86 degrees 08 minutes East, across Lots 8 and 17 a distance of 565.73 feet to a point on the westerly right-of-way line of Pleasant Ridge Avenue (60 feet wide), and on the easterly line of Lot 17;

Thence, South 4 degrees 00 minutes West, along the westerly right-of-way line of said Pleasant Ridge Avenue (easterly line of Lots 17, 16, 15, 14, 13), a distance of 300.00 feet to an iron pin at the intersection of the westerly right-of-way line of said Pleasant Ridge Avenue, with the northerly right-of-way line of said Astor Avenue, said point being at the southeasterly corner of said Lot 13;

Thence, North 86 degrees 09 minutes West, along the northerly right-of-way line of said Astor Avenue (southerly line of said Lots 13, 12), a distance of 630.56 feet to the place of beginning, CONTAINING 4.60 ACRES, subject however to easements, and restrictions of record.

3.51 ACRES

Being situated in the State of Ohio, County of Franklin, City of Bexley, and being part of Lots 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, and 40 of Hamilton Gardens Addition, shown of record in Plat Book 7, Page 138, and also a 102.81 feet x 50.00 feet tract out of the northwest corner of Reserve "A" of Charles Woehlert's Amended Subdivision shown of record in Plat Book 7, Page 206, Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

Beginning at an iron pin at the intersection of the easterly right-of-way line of said Pleasant Ridge Avenue (60 feet wide), with the southerly right-of-way line of said East Mound Street (60 feet wide), said pin being at the northwesterly corner of said Lot 29;

Thence, South 86 degrees 05 minutes East, along the southerly right-of-way line of said East Mound Street (northerly line of said Lot 29), a distance of 150.00 feet to an iron pin;

Thence, South 04 degrees 00 minutes West, across said Lots 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, and 40, and across said Reserve "A", and along a line parallel with the easterly right-of-way line of said Pleasant Ridge Avenue (westerly line of said Lots 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, and 40, westerly line of said Reserve "A"), a distance of 1019.85 feet to an iron pin on the southerly line of said Reserve "A";

Thence, North 86 degrees 05 minutes West, across said Reserve "A", and along a line parallel with the northerly line of said Reserve "A" (southerly line of said Lot 40), a distance of 150.00 feet to an iron pin on the easterly right-of-way line of said Pleasant Ridge Avenue, and on the westerly line of said Reserve "A";

Thence, North 04 degrees 00 minutes East, along the easterly right-of-way line of said Pleasant Ridge Avenue (westerly line of said Reserve "A", westerly line of said Lots 40, 39, 38, 37, 36, 35, 34, 33, 32, 31, 30, and 29), a distance of 1019.85 feet to the place of beginning, CONTAINING 3.51 ACRES, subject however to all easements and restrictions of record.

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

WHEREAS, a detailed development plan which is in accordance with Section 1264.21 (b) of the Codified Ordinances of the City of Bexley has been submitted as a part of the application of the PUR District Amendment to the official zoning map; and,

- REVISED

WHEREAS, said detailed development plan consists of a textual description of the captioned "Planned Unit Residential Standards, Capital University, September 15, 1988", and various drawings identified and labeled as Exhibits A through H; and,

WHEREAS, Council has received written recommendations for approval of the detailed development plan from the Zoning Officer, the Planning Commission and the Board of Zoning Appeals; and,

WHEREAS, the detailed development plan demonstrates that it has, through the design and planning process, mitigated the proposed developments' effects upon adjacent properties; and,

WHEREAS, the detailed development plan demonstrates that the proposed development will not be detrimental to public facilities and services in the City and that it is adequately buffered so as to not be detrimental to nearby medium density single family residential districts; and,

WHEREAS, the detailed development plan demonstrates that the location of the proposed development is consistent with the Recommendations Report of the Apartment Location and Neighborhood Improvement Study's findings which note that "Bexley and its residents should cooperate with Capital University and the several other large institutions here to accommodate needed expansions without harm to the residential neighborhoods nearby. Parking should be provided off the streets, nuisances screened from public and neighborhood view, accesses oriented to major streets, and expansion limits planned and development designed to provide buffers between the institution and adjacent low density residential areas."; and,

WHEREAS, the detailed development plan further demonstrates 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 detailed development plan 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 a depth of less than 300 feet in particular, as the 1969 Recommendations Report Apartment Location and Neighborhood Improvement Study which is cited in the PUR Zoning District requirements only required a width and depth of 200 feet and a total area of 60,000 square feet and the Neighborhood Stabilization Plan, also cited in PUR Zoning District requirements specifically recommends modification of the PUR District regulations to enhance their utility and applicability; and,

WHEREAS, nothing contained within the textual description of the detailed development plan and the exhibits identified and labeled A through H shall be in conflict with Chapter 1264.21 of Bexley Zoning Codes; 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:

4.60 ACRES

Being situated in the State of Ohio, County of Franklin, City of Bexley, and being Lots 9, 10, 11, 12, 13, 14, 15, 16, and part of Lots 8 and 17 of Hamilton Gardens Addition shown of record in Plat Book 7, Page 138, Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

Beginning at an iron pin at the intersection of the easterly right-of-way line of College Avenue (60 feet wide), with the northerly right-of-way line of Astor Avenue (50 feet wide), said point being at the southwesterly corner of said Lot 12;

Thence, North 10 degrees 22 minutes West, along the easterly right-of-way line of said College Avenue, and along the westerly line of said Lots 12, 11, 10, and 9, a distance of 305.78 feet to a point at the northwesterly corner of said Lot 9, (southwesterly corner of Lot 8);

Thence, South 86 degrees 08 minutes East, along the northerly line of Lot 9 (southerly line of Lot 8), a distance of 180.70 feet to a point;

Thence, North 04 degrees 00 minutes East, across Lot 8, a distance of 3.76 feet to a point;

Thence, South 86 degrees 08 minutes East, across Lots 8 and 17 a distance of 565.73 feet to a point on the westerly right-of-way line of Pleasant Ridge Avenue (60 feet wide), and on the easterly line of Lot 17;

Thence South 4 degrees 00 minutes West, along the westerly right-of-way line of said Pleasant Ridge Avenue (easterly line of Lots 17, 16, 15, 14, 13), a distance of 300.00 feet to an iron pin at the intersection of the westerly right-of-way line of said Pleasant Ridge Avenue, with the northerly right-of-way line of said Astor Avenue, said point being at the southeasterly corner of said Lot 13;

Thence, North 86 degrees 09 minutes West, along the northerly right-of-way line of said Astor Avenue (southerly line of said Lots 13, 12), a distance of 630.56 feet to the place of beginning, CONTAINING 4.60 ACRES, subject however to easements, and restrictions of record.

3.51 ACRES

Being situated in the State of Ohio, County of Franklin, City of Bexley, and being a part of Lots 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, and 40 of Hamilton Gardens Addition, shown of record in Plat Book 7, Page 138, and also a 102.81 feet 150.00 feet tract

out of the northwest corner of Reserve "A" of Charles Woehlert's Amended Subdivision shown of record in Plat Book 7, Page 206, Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

Beginning at an iron pin at the intersection of the easterly right-of-way line of Pleasant Ridge Avenue (60 feet wide), with the southerly right-of-way line of East Mound Street (60 feet wide), said pin being at the northwesterly corner of said Lot 29

Thence, South 86 degrees 05 minutes East, along the southerly right-of-way line of said East Mound Street (northerly line of said Lot 29), a distance of 150.00 feet to an iron pin;

Thence, South 04 degrees 00 minutes West, across said Lots 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, and 40, and across said Reserve "A", and along a line parallel with the easterly right-of-way line of said Pleasant Ridge Avenue (westerly line of said Lots 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, and 40, westerly line of said Reserve "A"), a distance of 1019.85 feet to an iron pin on the southerly line of said Reserve "A";

Thence, North 86 degrees 05 minutes West, across said Reserve "A", and along a line parallel with the northerly line of said Reserve "A" (southerly line of said Lot 40), a distance of 150.00 feet to an iron pin on the easterly right-of-way line of said Pleasant Ridge Avenue, and on the westerly line of said Reserve "A";

Thence, North 04 degrees 00 minutes East, along the easterly right-of-way line of said Pleasant Ridge Avenue (westerly line of said Reserve "A", westerly line of said Lots 40, 39, 38, 37, 36, 35, 34, 33, 32, 31, 30, and 29), a distance of 1019.85 feet to the place beginning, CONTAINING 3.51 ACRES, subject however to all easements and restrictions of record.

from the Medium 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 preliminary and final approval is hereby given to the detailed development plan based upon the findings set forth above, and that if no construction has begun within two years after approval of this Ordinance, the approval and zoning certificate shall be void and the land shall revert to the Medium Density Single Family (R-6) District in effect immediately prior to approval.

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 that of the subject property are waived and varied to permit development of the subject land in accordance with Sections 1 and 2 hereof and Section 1.64.11 (c) of the Bexley Codified Ordinances.

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

Passed: November 22, 1988

Albert Meyer  
President of Council

Attest: John W. Cherry  
Clerk of Council

Approved: 11/22, 1988

David H. Madison  
Mayor

*Oct. 11, 1988 - Substitution*

THE COLUMBUS DISPATCH  
PROOF OF PUBLICATION

STATE OF OHIO, FRANKLIN COUNTY, SS.:

William R. Fagan  
Assistant Classified Advt. Manager

*The Columbus Dispatch*, a newspaper published at Columbus, Franklin County, Ohio, with a daily paid circulation of more than 25,000 copies, personally appeared and made oath that the notice of which a true copy is hereunto attached was published in *The Columbus Dispatch* for 1 time(s) to wit,

on

October 17th, 1988

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

William R. Fagan

Subscribed and Sworn to, this 17th  
day of October 1988 as  
witness my hand and seal of office.

Donora L. Craighead  
Notary Public in and for the State of Ohio.

DONORA L. CRAIGHEAD  
NOTARY PUBLIC - STATE OF OHIO  
MY COMMISSION EXPIRES MAY 1, 1993

NOTICE OF  
PUBLIC HEARING  
In accordance with Section  
713.12 of the Ohio Revised  
Code, notice is hereby given  
that a public hearing will be  
held by Bexley City Council  
at 7:00 pm, Tuesday, Novem-  
ber 22, 1988 at Bexley City  
Hall, 2242 East Main Street,  
Bexley, Ohio 43209. This  
hearing is to consider Ordina-  
nance 55-88 to rezone prop-  
erty adjacent to College, As-  
tor and Pleasant Ridge Ave-  
nues, from the R-6 Zoning  
District to the PUR Zoning  
District. All interested per-  
sons are invited to attend. A  
copy of the application and  
accompanying documents  
are available for public in-  
spection in the Service De-  
partment Office, weekdays,  
between 8:00 am and 4:00  
pm.  
10/17