

ORDINANCE NO. 98-00

By: Mark R. Masser

An Ordinance to amend Section 1223.03(b) of the Planning and Zoning Code by adding detached garages and other accessory structures to the listing of structures subject to architectural review, to amend Section 1260.11 of the Planning and Zoning Code to limit the size of accessory structures and to declare an emergency.

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

Section 1. That Section 1223.03(b) of the Planning and Zoning Code is hereby amended as follows:

(b) Review. No new building or structure within the District, **INCLUDING DETACHED GARAGES AND OTHER ACCESSORY STRUCTURES BUT EXCLUDING WALLS, FENCES AND SIGNS**, shall be constructed, **ANY SUCH** existing building or structure within the District shall not be enlarged and the architectural style and detail, including, but not limited to, the enclosure of a front porch, of **ANY SUCH** existing building or structure within the District shall not be changed, unless and until the plans and specifications for such structure or modification have been submitted to and reviewed by the Board, and the Board has issued a certificate of appropriateness. In the case of a new building or structure or a change to an existing structure which involves the removal of existing landscaping, a landscape plan shall also be submitted for review and approval. The Board, in deciding whether to issue a certificate of appropriateness, shall determine that the proposed structure, modification and use would be compatible with existing structures and uses within the portion of the District in which the premises are located. In conducting its review, the Board shall examine and consider, but not necessarily be limited to, the following elements: the architectural design, including, in the case of an enlargement, the design of the existing structure; the exterior materials, texture and color; exterior detail and relationships; height and building mass; the arrangement of buildings and structures on the premises; existing grades; the relationship of the design to the visual perspective of a pedestrian and adjoining properties; and the use of landscape materials, when review of a landscape plan is required. The Board in the performance of these duties shall from time to time adopt and publish design guidelines; provided, however, that any such guidelines shall be subject to review and approval by Council.

Section 2. That Section 1223.03(b) as presently in effect is hereby repealed, and all other provisions of Chapter 1223 shall continue in effect without change.

Section 3. That Section 1260.11 of the Planning and Zoning Code is hereby amended as follows:

1260.11 ACCESSORY USES AND STRUCTURES

An accessory use or structure shall be permitted in association with a principal use or structure provided that the following requirements are met:

- (a) It shall be thirty-five percent or less of the **FOOTPRINT** of the principal use or structure, except where additional space is necessary to meet off street parking requirements. **CREDIT FOR RESIDENTIAL OFF STREET PARKING REQUIREMENTS SHALL BE 576 SQUARE FEET WHEN THE ACCESSORY STRUCTURE IS LOCATED WITHIN 10 FEET OF THE REAR PROPERTY LINE AND 528 SQUARE FEET WHEN IN ANY OTHER LOCATION.**
- (b) It shall not contain or be used as a dwelling unit.
- (c) It shall not exceed **ONE STORY** in height without a special permit from the Board of Zoning Appeals.
- (d) It shall meet all yard requirements of a principal use except as specified in Section 1260.07.
- (e) Special equipment in a commercial district may be allowed a reduction of the above requirements where it meets the intent of the Zoning Code with a special permit from the Board of Zoning Appeals.

Section 4. That Section 1260.11 as presently in effect is hereby repealed.

Section 5. That this Ordinance is an emergency measure necessary for the immediate preservation of the public peace, health and safety, said emergency being the need to prevent the inappropriate accessory structures which would adversely affect property values in the neighborhood, and shall be in force and effect immediately upon its passage and approval by the Mayor.

Passed: 12-12, 2000

Don H. Porter
President of Council

Attest: Richard A. Levin
Clerk of Council

11-14-00 First reading
11-28-00 Second reading
12-12-00 Third reading

Approved: 12/12, 2000
David H. Madison
David H. Madison, Mayor