

**ORDINANCE NO 7-04**

By: Mr. Weber

An Ordinance to grant a Councilmatic Variance to permit certain uses of an accessory structure on the property at 2653 Fair Avenue in the City of Bexley, Ohio.

Whereas, on August 14, 2003, the Bexley Board of Zoning Appeals granted Variance No. 177-03 to permit the construction of a 2-story accessory structure, with the second floor approved for storage space only, on the property known as 2653 Fair Avenue, Bexley, Ohio; and,

Whereas, the present owners of said property, Matthew and Joanna Rosen wish to now use the second story of the structure for living space, said living space to be sleeping quarters, and

Whereas, Bexley Code Section 1260.11(b) prohibits the use of accessory structures for living space, and

Whereas, the design and size of the accessory structure is appropriate to the architecture of the property and the neighborhood and has received architectural review approval from the Bexley Architectural Review Board and two variances from the Bexley Board of Zoning Appeals. **NOW THEREFORE,**

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

Section 1. That a Councilmatic Variance is hereby granted to permit the use of the proposed accessory structure on the property known as 2653 Fair Avenue, Bexley, Ohio, as living space, said space being sleeping quarters, subject to the following conditions:

- (a) There shall be no expansion of the existing accessory structure beyond what was approved by the Board of Zoning appeals on August 14, 2003;
- (b) Occupants of the accessory structure shall be required to utilize off-street parking on the property;
- (c) The accessory structure shall at no time be utilized by persons other than members and guests of the family of the owner of the property.
- (d) The accessory structure shall at no time be occupied full time nor shall it be utilized as a dwelling unit.
- (e) Should the accessory structure be damaged by fire, explosion, flood, riot, or act of God, the use may be continued as before any such calamity provided the structure has not been destroyed to the extent of more than ninety percent of the replacement cost at the time of destruction, and provided such

reconstruction is started within one year of such calamity and is continued in a reasonable manner until completed. If more than ninety percent of the replacement cost at the time of destruction of the accessory structure occurs any time in the future by fire, explosion, flood, riot, or act of God, continued use of the structure will require a special permit at the discretion of Bexley City Council.

Section 2. That this Ordinance shall go into effect and be in force from and after the earliest period allowed by law.

Passed: \_\_\_\_\_, 2004

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

Attest: \_\_\_\_\_  
Clerk of Council

Approved: \_\_\_\_\_, 2004

1-27-04 First Reading  
2-10-04 Second Reading  
2-24-04 Third Reading  
Tabled.

\_\_\_\_\_  
David H. Madison, Mayor

4.13.04 Removed from  
table. Put back on  
table.

APPLICATION NUMBER 3800  
FILING FEE: \$ 50.00

**CITY OF BEXLEY, OHIO**

**APPLICATION TO APPEAR BEFORE  
BEXLEY CITY COUNCIL**

1. This application is submitted for: (please check)  
 Rezoning     Lot Split     Plat Approval     Variance
2. APPLICATION SUBMITTED FOR PROPERTY LOCATED:  
2653 Fair Avenue Bexley, OH
3. NAME OF APPLICANT: DONALD E. ZEIS    ZEIS CONTRACTING  


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ADDRESS: 1209 Hill Rd. N. #229 Pickerington, OH 43147  
TELEPHONE NUMBER 614-374-3812
4. NAME OF OWNER: Matt & Joanna Rosen  
ADDRESS: 2653 Fair Avenue Bexley, OH 43209  
TELEPHONE NUMBER: 614-239-9337
5. Narrative description of project (attached additional sheets, if necessary.)  
Renovate second story of garage to allow for family and friends to stay for short durations while visiting.
6. IF THIS APPLICATION INVOLVES A VARIANCE, PLEASE EXPLAIN WHY THE VARIANCE IS NECESSARY. (Attach additional sheets, if necessary.)  


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APPLICANT:  DATE 1-23-04  
(Signature) Donald E. Zeis

(NOTE: If the applicant is not the owner, a letter from the owner stating his or her approval of the application must be submitted with the application.)

JANUARY 23, 2004

City of Berkeley

To whom it may concern:

DONALD ZEIS of ZEIS CONTRACTING has my permission to be  
the applicant for my garage renovation project submission.

Sincerely:

  
JOANNA ROSEN

\*\*\*\*\* CITY OF BEXLEY \*\*\*\*\*  
2242 E.MAIN STREET  
BEXLEY, OHIO 43209

\* \* \* \* \* CITY COUNCIL REVIEW \* \* \* \* \*  
\* \* \* \* \*

Permit Date: 01/23/2004

App. No.: 38 CC

Address: 2653 FAIR AV

Scope of Work: RESIDENTIAL REVIEW  
Project: LIVING SPACE/GARAGE

Owner: ROSEN, MATTHEW  
2653 FAIR AV  
BEXLEY OH 43209-

Telephone: - -

Applicant: ZEIS DEVELOPMENT & CONSTRUCTION SERVICES  
1209 HILL RD. N SUITE 229  
PICKERINGTON, BDBAST 43147-

Telephone: 614-374-3812

An application to request review upon payment of a fee  
of \$ \$50.00 is hereby granted. Receipt number: 8174

Owner/Agent: ZEIS DEVELOPMENT

Chief Building Official: *J m S. [Signature]* Date: **PAID**  
1/23/04

applicant audit file packet/Dorothy

\* \* \* \* \*  
Date of Review Meeting: \_\_\_\_\_

□

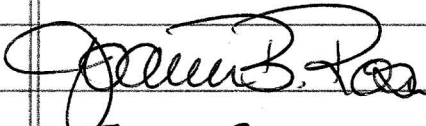
January 23, 2004

City of Bexley

To whom it may concern:

Donald Zeis of ZEIS CONTRACTING has my permission to be  
the applicant for my garage renovation project submission.

Sincerely:

  
JOANNA ROSEN