

Ordinance No 53-09

By: Ben Kessler

An ordinance to grant a Councilmatic Variance to permit certain uses of an accessory structure on the property at 2186 E. Broad Street in the City of Bexley, Ohio.

Whereas, on June 11th, 2009, the applicant has applied to the Bexley Board of Zoning Appeals to grant a variance to permit the construction of a two story garage with a full bath on the first floor of the detached accessory structure, on the property known as 2186 E. Broad Street, Bexley, Ohio; and

Whereas, the present owners of said property, John Larrimer wish to install a full bathroom in said accessory structure; and

Whereas, Bexley Code Section 1260.11(c) prohibits the use of accessory structures for a dwelling unit, and

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 2186 E. Broad Street, Bexley, Ohio, as living space, said space being a two story detached garage with bathroom, subject to the following conditions.

- a) The accessory structure shall be constructed as approved by the Board of Zoning Appeals on June 11th, 2009; and as further approved by this Ordinance.
- b) 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.
- c) The accessory structure shall at no time be occupied full time nor shall it be utilized as a dwelling unit.
- d) 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 the 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: October 13, 2009

Matthew J. Lampke
President of Council

Attest. [Signature]
Clerk of Council

Approved: 10/13, 2009

John M. Brennan
John M. Brennan, Mayor

First Reading 9/8/09
Second Reading 9/22/09
Third Reading 10/13/09