

ORDINANCE NO. 23 - 09By: Ben Kessler

An ordinance to amend Amended Ordinance No.: 28-80 which had provided for the rezoning of certain property, now known as the Columbia Place PUR, specifically the plan included in said ordinance for the specific architectural criteria for the design, construction and development of the property.

WHEREAS, the City of Bexley adopted Amended Ordinance No. 28-80 which was subsequently amended on May 22, 1984, by Amended Ordinance No. 17-84; and,

WHEREAS, the Columbia Place Association, an Ohio not-for-profit corporation, organized and acting as the Homeowners Association for the residents of the Columbia Place PUR, wishing to amend the ordinance;

NOW, THEREFORE,

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

The architectural criteria for single family houses as attached to Amended Ordinance 20-80, which were made a part thereof, shall be amended as follows:

- (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 **or asphalt shingles** 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.

Passed: May 12, 2008

Matt Lampke
President of Council

ATTEST: _____

APPROVED: 5-12-09

John Brenner
_____, MAYOR

First Reading 4-14-09
Second Reading 4-28-09
Third Reading - May 12, 2009
PASSED May 12, 2009



**ROBERT J. BEHAL
LAW OFFICES, LLC**

October 16, 2008

501 South High Street
Columbus, OH 43215

Ms. Kathy Rose
CITY OF BEXLEY
2242 East Main Street
Bexley, Ohio 43209

RE: Columbia Place Homeowners Association

Principal:

Robert J. Behal

▲ ▲ ▲

Of Counsel:

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▲ ▲ ▲

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Dear Ms. Rose:

As you know from our prior conversations, this office represents Columbia Place Association, an Ohio not-for-profit corporation, which acts as the homeowners association for the Planned Unit Residential (PUR) development in the City of Bexley known as Columbia Place. As you may recall, this development was begun on June 10, 1980, when Messrs. Blatt, Paine and Lorms were successful in passing an ordinance through the Bexley City Council establishing the PUR. That ordinance was later amended on May 22, 1984, to change some of the architectural criteria and restrictions.

My client, Columbia Place Association, was originally organized on May 11, 1982, but was subsequently temporarily cancelled by the Secretary of State of Ohio on May 18, 1987. In order to deal with the roofing issue as well as other issues, the homeowners met again, whereupon it was agreed to reinstate the Columbia Place Association with the Secretary of State of Ohio. Thereafter, on October 25, 2007, Columbia Place Association was re-instated by the Secretary of State of Ohio, and the organization met pursuant to its Articles of Organization and organized and elected the Board of Trustees which consists of Dr. David Yashon of 500 Columbia Place; Dr. Amanda Termuhlen of 495 Columbia Place; and, Dr. Mark A. Hackman of 480 Columbia Place.

Thereafter, on February 8, 2008, the Board of Trustees met and passed a resolution (a copy of which is enclosed for your reference) resolving that the Columbia Place Association should request an amendment to the previously passed ordinance number 28-80, amending the "Architectural Criteria - Single Family Houses Bryden Road at Columbia, Bexley, Ohio" as follows:

Section F shall be revised in total to read as follows (changes in bold):

- (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

**MINUTES OF ACTION TAKEN IN WRITING WITH A MEETING
BY THE MEMBERS AND BOARD OF DIRECTORS OF
COLUMBIA PLACE ASSOCIATION**

A meeting of the Members and Trustees of COLUMBIA PLACE ASSOCIATION, an Ohio not for profit corporation, was called for in accordance with the Code of Regulations in order to discuss a proposed amendment to the Architectural Criteria Single Family Houses "Bryden Road at Columbia, Bexley, Ohio", on the 8th day of FEBRUARY, 2007.

The following resolutions were adopted after discussion by the Members and Trustees:

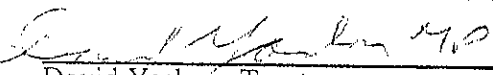
RESOLVED, that the following amendment to "Architectural Criteria - Single Family Houses Bryden Road at Columbia, Bexley, Ohio" as previously approved and adopted by Bexley City Council in Amended Ordinance No. 28-80 enacted on June 17, 1980, shall be presented to the City Council of Bexley, Ohio to be enacted into legislation relative to Columbia Place:

Section F shall be revised in total to read as follows (changes in bold):

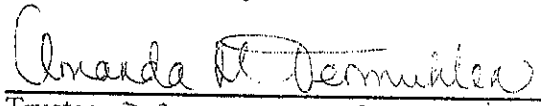
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The foregoing constitutes a complete record of all action taken by Members and Trustees of the Association at the date set forth above.


David Yashon, Trustee


Trustee DR. MARK A. HACKMAN


Trustee DR. AMANDA TERMUHLEN