

AMENDED ORDINANCE NO. 07 - 16

By: Steve Keyes

An Ordinance to grant a Councilmatic Variance to permit certain uses of accessory structures on the property at 195 S. Parkview Avenue in the City of Bexley, Ohio.

WHEREAS, on March 17th, 2016, the applicant has applied to the Bexley Board of Zoning Appeals to grant a variance to permit the construction of a 345 square foot pool house, 220 square feet pergola and a swimming pool in the side yard of this corner lot;

WHEREAS, the present owner of said property, Nick Lacaillade wishes to install a full bathroom and kitchen in said pool house and a detached garage/carriage house with living space on the second floor, which replaces the existing carriage house;

WHEREAS, Bexley Code Section 1260.11(b) prohibits the use of accessory structures for a dwelling unit;

WHEREAS, Bexley Code Section 1260.07(e) requires accessory structures and uses shall be permitted in the rear yard, and

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Bexley, County of Franklin, State of Ohio:

Section 1. That a Councilmatic Variance is hereby granted to permit the use of the proposed carriage house and pool house on the property known as 195 S. Parkview Avenue, Bexley, Ohio, as a living space being a bathroom, kitchen and bedroom, subject to the following conditions:

- a. The accessory structures shall be constructed in accordance with the plans as approved by the Board of Zoning appeals; and as further approved by this Ordinance.
- b. The carriage house shall at no time be utilized by persons for purposes of a lease or rental.
- c. The pool house shall at no time be used for any purpose other than as a pool house, nor shall it be utilized as a dwelling unit
- d. Should carriage house or pool house 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 of the accessory structure occurs any time in the future by fire, explosion, floor, riot, or act of God, continued use of the structure will require a special permit at the discretion of Bexley City Council.
- e. The proposed south side yard fence shall be six feet in height, posts not exceed seven feet in height, and shall be part of the proposed landscape plan.
- f. All structures, including the fence and the pool are subject to review and approval by the Architectural Review Board.

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

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Passed _____, 2016

Tim Madison, President of Council

Attest: _____, 2016
Bill Harvey, Clerk of Council

Approved: _____, 2016

Ben Kessler, Mayor

First Reading: April 12, 2016
Amended: May 9, 2016