

ORDINANCE No. 08- 18

By: Tim Madison

An Ordinance to approve an Amendment to the detailed development plan approved by Amended Ordinance No. 31-85, as subsequently amended, for a 3.11 acre Planned Unit Development adjacent to Clifton Avenue known as "Lyonsgate."

**Whereas**, on September 24, 1985 the City of Bexley adopted Amended Ordinance No. 31-85 rezoning approximately 3.11 acres adjacent to Clifton Avenue to Planned Unit Residential Development (now "PUD") and approved a detailed development plan consisting of a "Textual Description of Detailed Development Plan for 3.11 Acre Tract on Clifton Avenue" and exhibits identified and labeled A through L for the 18 residential unit PUD commonly referred to as "Lyonsgate;" and

**Whereas**, Paragraph 4 of the Lyonsgate textual description defines major and minor changes to the detailed development plan and requires that any major changes to the final detailed development plan be subject to the rezoning process; and

**Whereas**, since the adoption of Amended Ordinance No. 31-85, there have been multiple major changes to the Lyonsgate PUD and amendments to Amended Ordinance No. 31-85; and

**Whereas**, Ordinance No. 26-89 amended Ordinance No. 31-85 for Units 1, 2 and 3 of the Lyonsgate PUD and, twelve years later, Ordinance No. 02-11 amended Ordinance No. 31-85 and amendments made by Ordinance No. 26-89, particularly with regard to Unit 2; and

**Whereas**, Craig Tuckerman, owner of Lot No. 1, is seeking approval for to construct a new home and has requested approval for changes that materially affect the configuration and design of the house plans for Unit 1, which constitute a 'major change' as defined by the PUD text, exhibits and drawings as originally adopted and subsequently amended; and

**Whereas**, the foot print has been modified to increase the square footage and the elevations have also been modified from what was originally designed and approved for Unit No. 1; and

**Whereas**, the Board of Zoning and Planning (BZAP) has reviewed the proposed amendments to the detailed final development plan, determined that the proposed changes are major changes as defined by the final detailed development plan approved by Amended Ordinance No. 31-85, as amended, particularly by Ordinance No. 26-89 and Ordinance No. 02-11, and as provided in section 1256.10 of the Bexley Codified Ordinances, and Council has received a recommendation from BZAP that the proposed amendments are in compliance with Chapter 1256 of the Bexley Codified Ordinances; and

**Whereas**, BZAP has recommended approval of the changes to the Lyonsgate PUD set forth in this Ordinance.

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

Section 1. That the Amendment to the DETAILED DEVELOPMENT PLAN FOR 3.11 ACRE TRACT ON CLIFTON AVENUE, consisting of drawings \_\_\_ through\_\_\_, dated \_\_\_\_\_, a copy of which is attached to this Ordinance and incorporated herein by this reference, is hereby approved.

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

Passed: \_\_\_\_\_, 2018

\_\_\_\_\_  
Lori Ann Feibel, President of Council

Attest: \_\_\_\_\_  
William Harvey, Clerk of Council

APPROVED: \_\_\_\_\_, 2018

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Ben Kessler  
Mayor