

ORDINANCE NO. 34 - 22

By: Matt Klingler

An ordinance to amend the use variance at 216 South Columbia Avenue, to allow for expansion of the existing carriage house.

WHEREAS: On February 10, 1997, Council, via Ordinance 69-97, approved a use variance at 216 South Columbia Avenue in order to allow use of an accessory structure as a dwelling unit; and

WHEREAS: The property owner wishes to expand the existing carriage house structure to add 255 square feet to the existing 574 square feet of dwelling unit area, for a total proposed dwelling unit area of 829 square feet; and

WHEREAS: All physical aspects of the proposed carriage house addition meet current zoning code guidelines for a detached garage, and the proposed design was conditionally approved by the Architectural Review Board at their meeting on August 11, 2022; and

WHEREAS: The conditions attached to the use variance, including specifying that the house be occupied by family members or staff or guests of the owner and that occupants exclusively use off-street parking on the premises, remain unchanged in this proposed amendment; and

WHEREAS: The prospective owners of said property wish to use a portion of the structure for living space for family members; and,

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

Section 1.

That the use variance granted on February 10, 1997 be amended as follows:

- (a) There shall be no expansion of the **carriage house existing accessory house structure (“accessory house”)** beyond what was approved by the ~~Board of Zoning Appeals on December 11, 1997~~ **Architectural Review Board on August 11, 2022;**
- (b) There shall be no reduction of the present off-street parking on the property;
- (c) Occupants of the accessory house shall be required to use a portion of the existing off-street parking on the property;
- (d) The accessory house shall at no time be rented to persons other than members of the family of the owner of the property, provided that anyone may occupy the accessory house (a) in exchange for services rendered to the owner of the property or

the payment of the utility charges, maintenance expenses, taxes, assessments, insurance premiums or similar expenses, or (b) if no money, goods, or services are given in exchange for the right to occupy the accessory house;

(e) Should the accessory 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, 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 house 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: Sept 27, 2022

Attest: Matt McPeek
Matt McPeek, Clerk of Council

Troy Markham
Troy Markham, President of Council

Approved: Sept 27, 2022

Ben Kessler
Mayor Ben Kessler

First Reading: August 23, 2022

Second Reading: September 13, 2022

Third Reading: September 27, 2022