

ORDINANCE NO. 10-05
CITY OF CENTERVILLE, OHIO

Sponsored by Council Member Susan Leneach on the 17th day of October, 2005.

AN ORDINANCE AMENDING ORDINANCE NO. 11-86, THE ZONING ORDINANCE OF THE CITY OF CENTERVILLE, OHIO TO AMEND SECTION 17, APD, ARCHITECTURAL PRESERVATION DISTRICT THAT APPLY TO THE LOCATION OF BUILDINGS ON THE FRONT YARD ON A LOT IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 713 OF THE OHIO REVISED CODE.

PREAMBLE AND PURPOSE

WHEREAS, The City of Centerville has enacted regulations in the Centerville Zoning Ordinance that establish location of buildings on lots for land uses, and

WHEREAS, The City has adopted a new comprehensive plan, Create the Vision, that encourages locating buildings in closer to the public right of way to enhance the walkability and streetscape of the downtown, and

WHEREAS, The City has evaluated its front and side yard setback requirement within the Architectural Preservation District and has determined that the current requirement creates inconsistent building setbacks and does not establish a building edge necessary to define the character of the built environment.

WHEREAS, A large number of historic buildings within the APD have non-conforming side yards.

WHEREAS, the establishment of a front yard building setback that may be modified by the BAR to reflect historic setback patterns.

NOW THEREFORE; the Municipality of Centerville hereby ordains:

Section 1. Ordinance Number 11-86 passed on the 21st day of July, 1986 and as subsequently amended, be, and the same is hereby amended as follows with new language to be added in *italics* and text to be deleted in ~~strikeout~~ as provided in Section 5.02 of the Centerville Charter:

Section 2. By amending Section 17, APD, Architectural Preservation District, E. Requirements, 7. Location of Buildings on the Lot:

b. ~~Front Yard~~

- 1) ~~The dimension of the required front yard of a lot shall be determined by averaging the existing front yard of the closest lot occupied by a principal building on each side of that lot.~~
- 2) ~~For purposes of this section, a corner lot or a through lot, having a common a lot line to a public right of way of 35 feet or less in width, shall not be considered a front lot line nor shall such a lot, having a yard facing a public right of way of 35 feet or less in width shall be considered a front yard.~~

~~COMMENTARY: The front yards of buildings vary throughout the APD. The intent of this provision is to locate both new buildings and additions to existing buildings in a manner that is an average setback to the buildings adjacent to it and maintains the overall character of that portion of the APD as outlined in the Design Review Criteria.~~

~~e. Side Yard~~

~~A principal building shall have a minimum side yard setback of 10 feet.~~

b. *Front Yard*

- 1) *The dimension of the required front yard of a lot shall be determined by computing the average building setbacks for existing structures along the same block face. The setback line may be modified by the Board of Architectural Review (BAR) to reflect historic patterns or to implement the Comprehensive Plan. The BAR shall take into consideration the setback of adjacent buildings, existing and proposed easements, lot configuration, public right-of-way, or thoroughfare improvements.*

c. *Side Yard*

A principal building shall have a minimum side yard setback of three (3) feet.

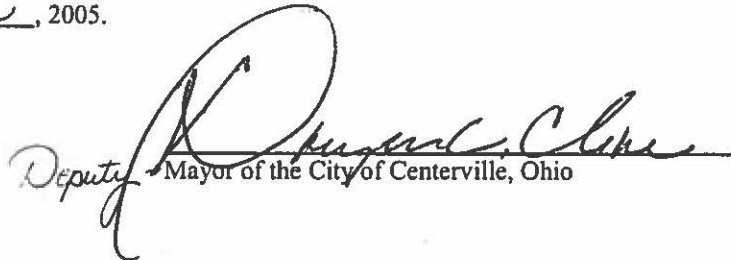
Section 3. By amending Section 37. Definitions in alphabetical order as follows:

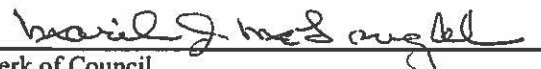
Block Face – The front yard of principal buildings located on the same side of a street, excluding alleys, and within the same city block or within five hundred (500) feet of an individual building whichever is less.

Section 4: This Ordinance shall become effective at the earliest date allowed by law.

PASSED THIS 17th day of October, 2005.

ATTEST:


Deputy Mayor of the City of Centerville, Ohio


Clerk of Council
City of Centerville, Ohio

CERTIFICATE

The undersigned, Clerk of Council of the City of Centerville, Ohio, hereby certifies the foregoing to be a true and correct copy of Ordinance No. 10-05, passed by the Council of the City of Centerville, Ohio on the 17th day of October, 2005.



Clerk of Council

Approved as to form, consistency with existing ordinances, the charter and constitutional provisions.

Department of Law
Scott Liberman
Municipal Attorney