

September 27, 1989
Ordinance to be set for Public Hearing by City Council

ORDINANCE NO. 19-89
CITY OF CENTERVILLE, OHIO

Sponsored by Councilman Bernard Samples on the
18th day of December, 1989.

AN ORDINANCE AMENDING ORDINANCE NO. 11-86,
THE ZONING ORDINANCE OF CENTERVILLE, OHIO,
ENACTING REVISED MINIMUM RESIDENTIAL REAR
YARD REQUIREMENTS FOR CERTAIN LOTS IN THE
CITY OF CENTERVILLE, OHIO IN ACCORDANCE WITH
THE PROVISIONS OF CHAPTER 713 OF THE OHIO
REVISED CODE.

WHEREAS, Chapter 713 of the Ohio Revised Code, empowers the City to enact a zoning ordinance and to provide for its administration, enforcement, and amendment thereto, and

WHEREAS, the minimum rear yard requirements for certain residential lots in the City of Centerville that are unusually shallow in depth from the street are somewhat unreasonably restricted in the buildable area by the existing rear yard requirements, and

WHEREAS, many of these lots were created under prior zoning ordinance requirements that were less restrictive than the current rear yard requirements, and

WHEREAS, the Planning Commission has recently heard and granted several minimum residential rear yard variance requests that in its opinion allowed a reasonable reduction of the minimum rear yard requirement for unusually shallow lots, and

WHEREAS, the Planning Commission has recommended the amendment of the Zoning Ordinance minimum residential rear yard requirements as a more equitable way than the variance process of establishing the minimum rear yard requirement for these shallow residential lots, and

WHEREAS, the City Council finds that this amendment allows reasonable rear yard requirements for these unusually shallow residential lots in the City while still promoting the health, safety, convenience, comfort, prosperity, or general welfare of the City, and

WHEREAS, the Planning Commission has held a public hearing on this amendment to the Zoning Ordinance and submitted its recommendation to the City Council, and

WHEREAS, the City Council has given due public notice of hearings relating to this amendment to the Zoning Ordinance of the City of Centerville, Ohio and its regulations and restrictions, and has held such public hearings, therefore,

THE MUNICIPALITY OF CENTERVILLE HEREBY ORDAINS:

Section 1. The Zoning Ordinance of Centerville, Ohio, Ordinance No. 11-86, is hereby amended with the amended text to be added underscored.

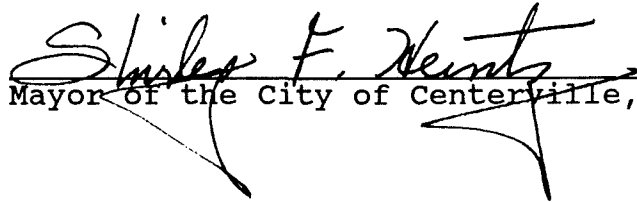
Section 6., R-1a, R-1b, R-1c, R-1d, Single-Family Residential; Paragraph E., Requirements; R-1a, R-1b, R-1c, R-1d, Single-family Residential, Table of Minimum Requirements; shall be amended by the addition of the following note at the end of the Table of Minimum Requirements:

Note: R-1c Zoning District Minimum Rear Yard Requirement Supplemental Provision - Draw a line 100 feet from the front lot line in the same manner as in determining the minimum front yard. Any portion of this line at least 30 feet but less than 50 feet from the rear lot line shall define a reduced rear yard requirement for that portion of the lot.


Section 2. Effective Date of Ordinance

This ordinance shall become effective from and after the earliest date allowed by law.

PASSED THIS 18th DAY OF December, 1989.



Mayor of the City of Centerville, Ohio

ATTEST:


Clerk of the Council
City of Centerville, Ohio

CERTIFICATE

The undersigned, Clerk of the Council of the City of Centerville, Ohio, hereby certifies the foregoing to be a true and correct copy of Ordinance No. 19-89, passed by the Council of the City of Centerville, Ohio, on the 18th day of December, 1989.


Clerk of the Council

Approved as to form, consistency with existing ordinance, the charter and consitutional provisions.

Department of Law
Robert N. Farquhar
Municipal Attorney