

RECORD OF ORDINANCES

COLUMBUS BLANK BOOK CO., COL., O.

Form No. 2806-A

Ordinance No. 28-70

Passed 15th day of June, 19 70

ORDINANCE NO. 28-70

AN ORDINANCE AMENDING ORDINANCE NO. 15-61, THE VILLAGE OF CENTERVILLE, OHIO, KNOWN AS THE "ZONING ORDINANCE OF CENTERVILLE, OHIO, 1961"

WHEREAS, for the purposes of regulating, restricting, and limiting, in the interest of public health, safety, convenience, comfort, prosperity, and the general welfare, the uses and the location of buildings, and other structures and of premises to be used for residence uses, the height, bulk and location of buildings and other structures, hereafter erected or altered, including minimum lot areas, set-back building lines and the area of yards, courts, and other open spaces, and for said purposes to divide the City into zones or districts of such number, shape and area as are deemed best suited to carry out the said purposes, and to provide fees for administration of the Zoning Ordinance.

THE MUNICIPALITY OF CENTERVILLE HEREBY ORDAINS:

Section 1. Section 6.A. is hereby amended to read as follows, with the portions in brackets thereof repealed and the underlined portions added:

A. The [Village] City of Centerville is hereby classified and divided into [eight (8)] nine (9) Districts designated as follows:

- R-1 Residence District
- R-2 Residence District
- R-3 Residence District
- R-4 Residence District
- B-1 Local Business District
- B-2 Roadside Business District
- B-3 Shopping Center District
- I-1 Industrial District
- EC Entrance Corridor District

Section 2. Sub-Section A. of Section 8, "PROCEDURE RELATING TO ANNEXED OR VACATED AREAS", reproduced below in brackets, is hereby repealed, and the said Sub-Section is hereby amended to read as set forth below:

[A. Upon future annexation, the area to be annexed shall be zoned in accordance with the Centerville Comprehensive Master Plan as prepared by the Office of Business and Economic Research, University of Dayton, and Metropolitan Planners, Inc., Consultants, Indianapolis, Indiana, dated April, 1961, a copy of which is on file with the Clerk of Centerville.]

A. Upon future annexation of any territory to the City of Centerville, the zoning regulations then in effect in said territory shall remain in full force and effect until the Council of the City of Centerville shall either officially adopt the said existing zoning regulations or shall adopt new regulations for such territory. The said existing zoning regulations refer only to the applicable portions of the zoning map and zoning districts with the uses, accessory uses, conditions of use, height standards, lot area standards, district area standards, parking and loading regulations, and landscaped buffer strip requirements attendant thereto, subject to variations allowed by the provisions of this ordinance. All procedures set forth in this Ordinance shall apply to all annexed areas in lieu of the procedures existing in said areas at the time of annexation.

Section 3. Figure 1 - "RESIDENTIAL USES AND REQUIREMENTS" - of Section 14, is hereby amended to read as follows, with the portions in brackets repealed and the underlined portions added thereto:

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RESIDENTIAL USES AND REQUIREMENTS

REQUIREMENTS	TYPE OF RESIDENTIAL USE <u>9</u>		
	Single-Family Dwelling	Two-Family Dwelling	Multi-Family Dwelling
District in which use is permitted	S1, S2, R1, R2, R3 [&BI]	R3 & [BI] R4	^a R3, [BI & EC**] & ^a R4
Minimum lot size in square feet per dwelling unit in districts indicated	S1 ----- 40,000* S2 ----- 30,000* R1 ----- 20,000* R2 ----- 15,000* R3 ----- 15,000*[10,000] [BI] ----- 6,000]	R3 & R4 7,500 [5,000] [BI] ----- 3,000]	R3 ----- 5,000 [BI] ----- 2,000] [EC ----- 3,000**] R4 ----- 4,000
Minimum lot width in feet in districts indicated	S1 ----- 150* S2 ----- 125* R1 ----- 120* R2 ----- 100* R3 ----- 100* [90] [BI] ----- 50]	R3 & R4 100 [90] [BI] ----- 50]	R3 ----- 100 [90] [BI] ----- 50] R4 ----- 100 [EC ----- 200**]
Maximum Building height in feet in districts indicated	S1, S2, R1 & R2 25 R3 [&BI] 25 [35]	R3 & [BI] R4 2-1/2 stories or 35	R3 & [BI] R4 2-1/2 stories or 35 EC ----- 100[**]
Minimum front yard in per cent of average depth of lots in block frontage. <u>f.</u>	S1 & S2 20% R1, R2, R3 [&BI] 20% with a minimum of 25 feet	20%	R3 [&BI] b.30 feet [20] R4 b.30 feet [EC See Section 18]
Minimum side yard (one) in feet	S1 ----- 20 S2 ----- 15 R1 ----- 12 R2 ----- 10 R3 [&BI] 10 [8]	10	R3 ----- c. 10 R4 ----- c. 10 [BI] ----- 5] [EC See Section 18]
Minimum side yards (both or two) in per cent of lot width <u>f.</u>	S1 ----- 30% S2 & R1 ----- 25% R2, R3 [&BI] ----- 20%	20%	R3 [&BI] 30 feet [20] R4 30 feet [EC See Section 18]
Minimum rear yard in percent of average depth of lots & block frontage <u>f.</u>	20%	20%	R3 & [BI] R4 [15] 30 feet [EC See Section 18]

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Residential Uses and Requirements cont.

REQUIREMENTS	Single-Family Dwelling	Two-Family Dwelling	Multi-Family Dwelling
Minimum [ground] floor area per average unit in square feet in districts indicated. [(For two Story Dwelling, the minimum ground floor area may also be computed on the basis of the average floor area of both floors.)] d.	<p>One Story Dwelling</p> <p>S1 & S2 1500</p> <p>R1 & R2 1300</p> <p>R3 [&BI] 1300 [1050]</p> <p>Two Story Dwelling</p> <p>S1, S2, R1, & R2 2000 [830]</p> <p>R3 2000 [750]</p>	<p>One Story Dwelling</p> <p>R3 1000 [1500]</p> <p>[BI] 1300</p> <p>Two Story Dwelling</p> <p>R3 1000 [830]</p> <p>[BI] 672</p>	<p>[R3] 1500</p> <p>[BI] 1300</p> <p>[EC] 2500</p> <p>***</p>
Number of vehicle parking spaces to be provided on the lot	[One] Two	Two per unit	[One] Two for each dwelling unit e.
Maximum lot coverage in percent of lot	35	35	R3 & R4 40 [35] [BI] 60 [EC] See Section 18
Vision clearance on corner lot	Yes	Yes	Yes

Centerville 5/26/61
10/14/69

FUGURE I

*Upon review by the Planning Commission and with the approval of the Council, where there is an Open Area of at least 5 acres within the Quarter Section of land within which the Lot proposed for development is located, [deduct] an area of up to 2500 sq. ft. may be deducted from the minimum Lot Size and [deduct] a distance of up to twenty (20) feet may be deducted from the minimum Lot width, provided that for each Lot reduced below the minimum Lot Size, the Open Area is increased an amount equal to the area by which each said Lot is reduced in size.

[**Multi-Family Dwelling may be permitted in the "EC" Entrance Corridor District in accordance with the definition of Garden Apartment and the additional requirements and procedures in Section 18.]

***No minimum floor area is designated. Density of development is governed by the minimum lot size per dwelling unit.

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FIGURE 1 - continued:

a. Planned Multi-Family Residential Projects. The Zoning Ordinance regulations relative to area, height, bulk and placement may be modified by the Planning Commission in their recommendations to the City Council, in the case of a plan for a large-scale development which, in the judgment of the Planning Commission, provides adequate open space and improvement for the circulation, recreation, education, light, air and service needs of the tract when fully developed. The requirements of area, height, bulk and placement regulations, as they are usually applicable to individual buildings on individual lots of record, would in certain cases of large-scale development have results affording less protection to the public health, safety and welfare than if a measure of flexibility were permitted. The permitting of these planned projects as special exceptions can, in certain cases, increase the desirability and convenience to the residents of the planned project without causing adverse affects to adjoining properties. In no case, however, may the density of the proposed development exceed that of the Zoning Ordinance requirements. Minimum site size for planned projects is five (5) contiguous acres.

b. Where a front yard of lesser depth than specified in the Schedule of Regulations exists in front of dwellings on more than sixty (60) per cent of the lots of record on one side of the street in any one block, the depth of front yard for any building thereafter erected or replaced on any lot in such block need not be greater than the average depth of front yards of such existing buildings.

c. For every lot on which a multiple residential dwelling is erected, there shall be provided a side yard on each side of the lot. Each side yard shall be increased beyond the yard spaces indicated by one (1) foot for each ten (10) feet or part thereof by which the length of the multiple, row or terrace dwelling exceeds forty (40) feet in overall dimension along the adjoining lot line.

d. The minimum floor area per dwelling unit shall not include area of basements, open unheated breezeways, open unheated porches, attached garages, or utility rooms.

e. Parking spaces shall be located back of the minimum front yard line, unless otherwise approved by the Council.

f. Or in feet.

g. Multi-Family Dwelling may be permitted only on land within those "EC" Entrance Corridor Districts existing as of the effective date of this amendment. Such use shall be in accordance with: the definition of Garden Apartment; the requirements of Figure 1, dated 5/26/61; and the additional requirements and procedures stated in Section 18. Multi-Family Dwellings in existence, under construction, or for which a Building Permit has been issued as of the effective date of this amendment in B-1 districts shall be considered a Conforming Use and shall be subject to the requirements of Figure 1, dated 5/26/61.

Section 4. The following new Sub-Section 7. is hereby added to Sub-Section B. of Section 14. "RESIDENTIAL USES & REQUIREMENTS:"

7. Landscaping

Landscaping or screening shall be provided in all R-3 and R-4 Multi-Family District developments wherever the development is adjacent to other Residential Districts and shall be as follows:

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A solid masonry wall or solid fence, not less than four (4) feet nor more than six (6) feet in height, shall be erected along all property lines adjoining or abutting a lot or parcel in any Single-Family Residential District, and along a property line of any public alley if such alley abuts any property in a Single-Family District. In lieu of such wall or fence, a strip of land not less than twenty (20) feet in width, planted with an evergreen hedge, or a dense planting of evergreen shrubs not less than four (4) feet in height to be located on said strip at least twenty (20) feet from the property line may be substituted and such strip and shrubs shall be maintained in good condition.

Section 5. Sub-Section A. of Section 18 is hereby amended to read as follows with the underlined portions added thereto:

A. Type of Use and number of Parking Spaces to be provided:

Type of Use	Number of Parking Spaces to be Provided
Bank	One for each 125 square feet of floor area.
Church or Temple	One for each 6 seats in main auditorium.
Clinic or Medical Health Center	One per 2 employees plus 4 per doctor.
College or University	One for each 3 students & staff plus 1 per college or university vehicle.
Garden Apartments*	Two spaces per dwelling unit.
Hospital	One per 4 beds, plus 1 per doctor, plus 1 per 3 employees, plus 1 per hospital vehicle.
Hotel	One for each 2 employees plus 1 for each sleeping room.
Kindergarten or Day Nursery	One per 2 employees plus 1 per 5 children to be accommodated plus 1 per kindergarten vehicle.
Light Industrial Use	One for each 2 employees on largest shift.
Lodge or Club	One for each 125 square feet floor area.
Mortuary	One for each 6 seats in main auditorium plus 1 per mortuary vehicle.
Motel	One for each 2 employees, plus 1 per unit.
Municipal Or Governmental Building	One for each 125 square feet floor area.
Newspaper Publishing	One for each 2 employees.
Nursing Home or Home for Aged	One for each 7 persons.
Office Building	One for each 125 square feet floor area.
Postal Station	One for each 125 square feet floor area.
Public Park or Recreational Facility	As determined by the Board.
Public Parking Area (But not for compensation)	--
Public Utility Substation or Exchange	One per employee.
Radio or Television Studio	One for each 125 square feet floor area.
Radio or Television Tower	One per employee per shift.
Research Laboratory	One per 2 employees on largest shift.
Restaurant	One for each 125 square feet floor area.
School, Public or Parochial	One for each 2 members of staff, plus one for each 8 seats in auditorium.
Storage Warehouse	One for each 3 employees or occupants (the maximum number of employees or occupants to be used in determining spaces).
Utility Company Business Office	One for each 125 square feet floor area.
Veterinary Hospital for Small Animals or Kennel	One space per employee, plus 4 additional spaces.
Wholesale Establishment	One for each 3 employees or occupants. (The maximum number of employees or occupants to be used in determining spaces).

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* Garden apartments are permitted only on land within those EC districts existing as of the effective date of this amendment.

Section 6. Sub-paragraphs D. and E. of Section 25. are hereby amended to read as follows, with the portion in brackets repealed and the underlined portion added thereto:

- D. For each application for the approval by the Board of a Conditional Use, a fee of [Twenty Dollars (\$20.00)] Fifty Dollars (\$50.00) shall be paid to and collected by the Administrative Officer, the receipt for which shall accompany the petition.
- E. For each petition for an amendment, supplement or change to this Ordinance, a fee of [Fifty Dollars (\$50.00)] Seventy-Five (\$75.00) shall be paid to and collected by the Administrative Officer, the receipt for which shall accompany the petition.

Section 7. This ordinance shall take effect at the earliest time allowed by law.

PASSED this 15th day of June, 1970.

/S/ Paul C. Hoy
Mayor - City of Centerville

ATTEST:

/S/ Marilyn J. McLaughlin
Clerk of Council of the
City of Centerville

C E R T I F I C A T E

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. 28-70, passed by the Council of the City of Centerville, Ohio, on the 15th day of June, 1970.

/S/ Marilyn J. McLaughlin
Clerk