

Ordinance No. 89-20

Passed April 8, 1989 19.89

An Ordinance to amend the Ordinance No. 17-79 (Zoning Code) by amending the zoning map incorporated therein, to create an overlay district for the "Greenspace" area of the City and declaring it an emergency.

WHEREAS, the City Council realizes there will be pressure for further development and re-development of the "Greenspace" area of the City as its prime location near downtown Columbus makes it more and more desirable for such activities.

WHEREAS, the development and re-development in the "Greenspace" area affects the character of the City as a whole and property values throughout the City and therefore is of interest to all residents of the City, not just those of the affected area.

WHEREAS, it is imperative that such development and re-development proceed in a planned way so as to maximize property values and the unique character of this "Greenspace" area.

WHEREAS, the Planning Commission, at its regular meeting held on March 15, 1989, recommended the amendment of the Zoning Ordinance to create an overlay district for the "Greenspace" area of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GRANDVIEW HEIGHTS, OHIO, THAT:

SECTION 1. That all lots fronting on the north side of Goodale Boulevard between the center line of Broadview Avenue on the east and the center line of Wyandotte Road on the west and all lots on the south side of Goodale Boulevard from Grandview Avenue on the east and the City limits on the west shall be included in this new overlay district.

SECTION 2. That all properties within the overlay district shall have a minimum front yard of 100 feet.

SECTION 3. That all other requirements of an RS-1 district classification shall apply to the overlay district.

SECTION 4. That the following variation from the foregoing requirements may be granted by the City Planning Commission.

- (1) A variance to the minimum front yard requirement not to exceed twenty-five (25) feet, allowing a minimum front yard of seventy-five (75) feet.

SECTION 5. No such variance shall be granted unless the Planning Commission does the following:

- (1) Considers the existing setbacks of the other properties in the district;
- (2) Considers the grade and topographic features of the lot in question;
- (3) Considers the aesthetic impact of the proposed variance;
- (4) Requires a minimum of fifty (50) feet to exist between each side of the proposed structure and any existing structure;
- (5) Requires that porches, decks, sports courts, parking lots, and other such structures not be developed within seventy-five (75) feet of the parcel's Goodale Blvd. property line.

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Passed

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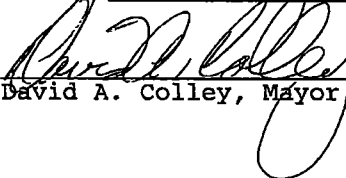
- (6) Adopts a formal written finding that the application of the provisions of the Zoning Ordinance to the land, building, or structure would result in a "practical difficulty" that would deprive the owner of the reasonable use of the land, building or structure, stating therein the facts upon which such finding is based. When deciding whether a "practical difficulty" exists, the Board must consider the size of the deviation that is sought, and weigh its probable effect on the neighborhood against the harm which will be suffered by the applicant if the variance is refused. A "practical difficulty" does not exist when it is self-inflicted.
- (7) Adopts a formal written finding that the granting of the variance will be in harmony with the general purposes and intent of the Zoning Ordinance, and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

SECTION 6. That Ordinance Number 89-19 is hereby repealed.

SECTION 7. That this Ordinance is hereby declared to be an emergency measure and is passed as such in order to preserve the public peace, as the emotions of residents in the City are running high due to the uncertainty about the future of this unique area. Therefore, this Ordinance shall take effect and be in force from and after the date of its passage and approval by the Mayor.


 James A. Woodland, President
 Grandview Heights City Council

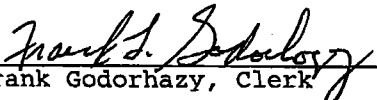
Passed April 8, 1989


 David A. Colley, Mayor

Approved as to form:

Attest:


 Brian C. Cook, Solicitor


 Frank Godorhazy, Clerk