

1. **Z-39-04** – on the southwest quadrant of the intersection of Oberlin Road and Ashland Street. Approximately 2.74 acres to be rezoned to Residential-10 Conditional Use.

Conditions: 10/04/04

- (1) The Property shall be developed only for single-family detached dwellings, townhouses, or unit ownership (condominium) dwellings.
- (2) No more than eighteen (18) dwelling units shall be constructed upon the Property.
- (3) At least sixty percent (60%) of the facades on all sides of the buildings constructed upon the Property shall consist of brick, stone, or other masonry material.
- (4) Prior to any development upon the Property, the owners shall submit to the Planning Department a site plan which provides for vehicular access to the Property only from a single curb cut on Oberlin Road. Upon submittal, written notice shall be provided to the owners of parcels within 100 feet of the Property. This site plan shall be subject to City Council approval.
- (5) Subject to site plan or subdivision approval, with respect to layout and design, the Property will be developed substantially as shown in the plan attached hereto as Exhibit C-1.
- (6) Reimbursement for required right-of-way dedication shall be based on R-6 value.
- (7) Upon development, there shall be provided upon the Property one easement twenty (20) feet in length (along Oberlin Road) and fifteen (15) feet deep to support a bus stop and shelter.
- (8) All buildings upon the Property shall have roofs with a minimum pitch of 7:12.
- (9) The height of any building or buildings constructed upon the Property shall be limited to two (2) stories and forty (40) feet from finished grade.
- (10) Any fence or fences constructed along the periphery of the Property shall be of wrought iron or masonry construction.
The four (4) dwelling units designated “A”, “B”, “C” and “D” on Exhibit C-1 shall have an operative doorway on the side of the dwelling facing Oberlin Road. A sidewalk shall connect each such doorway (or the porch or patio upon which such doorway opens) to the sidewalk along the west side of Oberlin Road. Use of such sidewalk shall not be barred by a fence or wall or by any other obstruction (i.e., if there is a fence or wall crossing the sidewalk, a wrought iron gate or a gate constructed of wood and wrought iron shall be provided at the point of crossing).
- (11) A sidewalk at least five (5) feet in width shall connect paved areas upon

the Property to the rights-of-way of Cromwell Road, Ashland Drive and Oberlin Road. Those sidewalks shall not be barred by a fence or wall or any other obstruction.

(12) Vehicular access to the Property shall not be impaired by a locked gate or by any other means.

(13) The front and rear facades of each dwelling unit upon the Property shall be of the same building materials, the same style of design, and the same quality of workmanship.

(14) All mechanical equipment located on the ground of the Property shall be positioned, screened, or both so that the mechanical equipment is not visible from any public street right-of-way and any adjacent property. Vegetation may be used for such screening or the screen enclosure shall be the same or compatible, in terms of color, texture, quality, and material as the principal building. There should be no rooftop mechanical equipment upon the Property.

Ordinance (2004) 725 ZC 558
Effective 10-19-04