



CITY OF KETTERING

PEGGY LEHNER, MAYOR • JACQUE FISHER, VICE MAYOR
BRUCE E. DUKE • LISA DUVALL • TONY KLEPACZ • JYL HALL • BOB SCOTT

KETTERING COUNCIL AGENDA

April 12, 2022

Kettering Government Center – South Building
3600 Shroyer Rd. Kettering, Ohio 45429

6:00 P.M. **WORKSHOP** Deeds Room
7:30 P.M. **REGULAR MEETING** Council Chambers

PLEDGE OF ALLEGIANCE

INVOCATION

APPROVAL OF MINUTES

March 22, 2022- Council Meeting & Workshop Minutes

PROCLAMATIONS, SPECIAL PRESENTATIONS, AWARDS, SPECIAL RESOLUTIONS, APPOINTMENTS TO BOARDS AND COMMISSION

Appointment	Partners for Healthy Youth- Marie Siler (Term ending 12/31/24)
Proclamation	Arab American Heritage Month
Proclamation	Arbor Day
Proclamation	National Volunteer Week
Special Presentation	Mayor's Award for Volunteer Service

CERTIFICATIONS AND PETITIONS

Certification- Planning Commission is recommending approval of P.C. 22-003- Zoning Map Amendment. A public hearing regarding this request will be held on Tuesday, April 12, 2022 at the Kettering City Council meeting.

Certification- Planning Commission is recommending approval of P.C. 22-005- Zoning Map Amendment. A public hearing on this request will be held on Tuesday, April 26, 2022 at the Kettering City Council meeting.

PUBLIC HEARINGS

1. P.C. 22-002- Zoning Map Amendment for the property located at 2125 E. Dorothy Lane.
2. P.C. 22-003- Zoning Map Amendment for the property located at 950 Forrer Boulevard.

PUBLIC COMMENT ON LEGISLATION

(5 Minute Limit per Speaker)

ORDINANCES IN SECOND READING

3. To levy special assessments for the construction and repair of curbs, sidewalks, drive approaches, and related appurtenances for the Marshall Road Resurfacing- E. David to South Corp Project (City Project No. 02-120H).
4. To levy special assessments for the construction and repair of curbs, sidewalks, drive approaches, and related appurtenances for the 2021 Curb, Sidewalk & Drive Approach Program (City Project No. 05-121).
5. To amend the text of various sections of the City of Kettering Zoning Code.

RESOLUTIONS

- 6. Authorizing acceptance of a donation from Dor-Wood Optimist Club for the RadKids children's safety program.
- 7. Authorizing the use of competitive bargaining and negotiated quotes or a cooperative purchasing program to purchase two accessible vans for the Lathrem Senior Center transportation program.
- 8. Authorizing the City Manager to apply for a grant from the Ohio Department of Natural Resources.
- 9. Authorizing the City Manager to accept and administer a grant from the Kettering Parks Foundation for the Parks, Recreation and Cultural Arts Department's financial assistance program.
- 10. Amending Resolution No. 10703-22 regarding the Forrer Boulevard Improvements Project- (Smithville Road to Woodman Drive), City Project No. 02-140F.
- 11. Amending Resolution No. 10678-22 regarding the West Stroop Road and Southern Boulevard Traffic Signal Replacement Project, City Project No. 02-112J.
- 12. Directing the City Engineer to prepare and file renewed, recalculated, amended, and/or consolidated assessments for street lighting.
- 13. Authorizing the City Manager to enter into agreements with the Ohio Department of Transportation (ODOT) to allow the City of Kettering to serve as responsible lead agency for administration of the West Avenue Bridge Project- (City Project No. 03-948; ODOT Project MOT-West Avenue Bridge, PID 116012).
- 14. Authorizing the City Manager to use competitive bargaining and negotiated quotes to contract for the replacement of two original boilers within the Kettering Recreation Complex.
- 15. Authorizing the City Manager to use competitive bargaining and negotiated quotes to contract for the replacement of existing plexiglass and safety netting within the Kettering Ice Arena.
- 16. Authorizing the City Manager to use competitive bargaining and negotiated quotes to contract for painting of the main pool and Adventure Reef Water Park accessories at the Kettering Recreation Complex.
- 17. Authorizing the City Manager to use competitive bargaining and negotiated quotes to purchase a utility terrain vehicle and rescue platform attachment.
- 18. To make supplemental appropriations for current expenses and other expenditures of the City of Kettering, State of Ohio, during the fiscal year ending December 31, 2022.

ORDINANCES IN FIRST READING

- 19. To amend Section 476.03 of the Codified Ordinances regarding operation of snowmobiles and all purpose vehicles and declaring an emergency.
- 20. To amend the traffic control map and the traffic control file of the City of Kettering to show the installation of traffic signs on Maddix Drive in the City of Kettering, Ohio.

MANAGER'S REPORT/COMMUNITY UPDATE

OTHER BUSINESS NOT ON WRITTEN AGENDA

Audience Participation (5 Minute Limit per Speaker)

CITY COUNCIL REPORT/UPDATE

The City of Kettering wishes to make certain that all citizens have the opportunity to actively participate in their local government. If you have a disability and require accommodations to participate in a Council meeting, please contact the Clerk of Council at 296-2416 so that reasonable modifications can be made.

KETTERING CITY CALENDAR
2022

April 12	4:00 p.m.	Partners for Healthy Youth
	6:00 p.m.	Council Workshop
	7:30 p.m.	City Council Meeting
April 18	7:00 p.m.	Planning Commission
	7:00 p.m.	Board of Community Relations

April 25	7:00 p.m. 7:30 p.m.	Board of Zoning Appeals Sister Cities
April 26	6:00 p.m. 7:30 p.m.	Council Workshop City Council Meeting

Proclamation

Whereas:

Throughout the United States, the month of April is recognized as Arab American Heritage Month to celebrate the culture and the many contributions Arab Americans have had on various aspects of American society; and

WHEREAS: Arab Americans have made valuable contributions to many aspects of American society; in medicine, law, business, education, technology, government, military service and culture; and

WHEREAS: Since migrating to America, men and women of Arab descent have shared their rich culture and traditions with neighbors, friends, and communities across the state and country; and

WHEREAS: Arab Americans have also enriched our society by fully taking part in the entrepreneurial American spirit, creating jobs and prosperity; and

WHEREAS: Arab Americans share the desire to see a peaceful and diverse society in the United States, where every individual is treated equally and feels safe and able to pursue life, liberty and happiness; and

WHEREAS: The City of Kettering is thankful for Kettering's Arab American community and their many contributions to the spirit of our city.

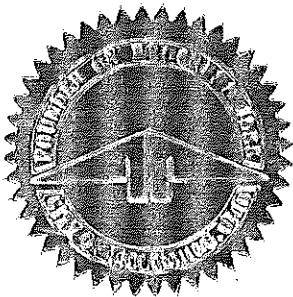
NOW, THEREFORE, I, Peggy Lehner, Mayor of the City of Kettering, Ohio, on behalf of City Council and the community, do hereby proclaim

April 2022

to be

'ARAB AMERICAN HERITAGE MONTH

in the City of Kettering, Ohio, and on behalf of City Council, City Administration and the residents of Kettering are proud to celebrate and honor the contributions and heritage of Arab Americans.



IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Kettering, Ohio, to be affixed this 12th day of April, in the Year of our Lord, Two Thousand and Twenty-Two.

PEGGY LEHNER
Mayor of the City of Kettering, Ohio

Proclamation

Whereas: *Arbor Day is a special day set aside for the planting of trees and is observed throughout the nation and the world; and*

WHEREAS: Arbor Day calls attention to the need for conservation, stressing how essential it is to maintain and protect the beauty and usefulness of our natural forests as well as the importance of trees to conserve the land in all areas; and

WHEREAS: Arbor Day in Kettering is celebrated by the planting of trees at Habitat Environmental Center and Southdale Woods on Saturday, April 16, 2022 which is part of Kettering's Annual Tree Fest activities; and

WHEREAS: Because of the city's commitment to enhance the scenic beauty of our community, the City of Kettering was awarded the Tree City USA Growth Award by the National Arbor Day Foundation for demonstrating environmental improvement for higher level tree care; and

WHEREAS: The continuation of planting trees within our community will enhance the quality of life for all residents and add to the scenic wonders that will be enjoyed by generations to come.

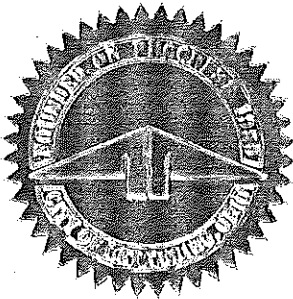
NOW, THEREFORE, I, Peggy Lehner, Mayor of the City of Kettering, Ohio, on behalf of City Council and the community, do hereby proclaim

April 16, 2022

to be

ARBOR DAY

in the City of Kettering, Ohio, and urge all citizens to recognize the importance of planting trees as the embodiment of life and for the economic and social growth of our community.



IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Kettering, Ohio, to be affixed this 12th day of April, in the Year of our Lord, Two Thousand and Twenty-Two.

PEGGY LEHNER
Mayor of the City of Kettering, Ohio

Proclamation

Whereas: *National Volunteer Week is time to shine light on the people and causes that inspire us to serve. Volunteerism empowers individuals to find their purpose and passion, and work toward meaningful change; and*

WHEREAS: The theme for National Volunteer Week is "Celebrate Service"; and

WHEREAS: National Volunteer Week was established in 1974 by the Points of Light Foundation; and

WHEREAS: National Volunteer Week celebrates the power of volunteers to tackle challenges and be a positive force that transforms the world; and

WHEREAS: During this week, all over the nation, volunteers will be recognized for their commitment to service demonstrating that every individual has the power to make a difference in creating healthy, strong and vibrant communities; and

WHEREAS: Each year, we recognize the people and causes that inspire service, by thanking volunteers who lend their time, talent and voice to make a difference in our community during times of triumph and times of adversity; and

WHEREAS: Our nation was founded on a spirit of volunteerism, and the talents and energies of American volunteers are one of our nation's greatest assets and certainly one of Kettering's greatest resources; and

WHEREAS: The City of Kettering volunteer program has been blessed for 43 years with volunteers who are committed to making Kettering the place people are proud to call home.

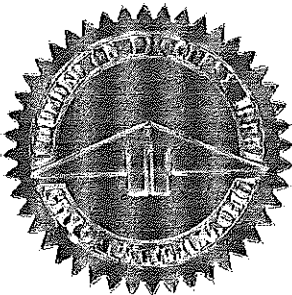
NOW, THEREFORE, I, Peggy Lehner, Mayor of the City of Kettering, Ohio, on behalf of City Council and the community, do hereby proclaim

April 17-23, 2022

to be

NATIONAL VOLUNTEER WEEK

in the City of Kettering, Ohio, and I urge my fellow citizens to volunteer in our community as we continue to come together to bring about positive change.



IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Kettering, Ohio, to be affixed this 12th day of April, in the Year of our Lord, Two Thousand and Twenty-Two.

PEGGY LEHNER
Mayor of the City of Kettering, Ohio



CITY OF KETTERING
PLANNING & DEVELOPMENT DEPARTMENT

CERTIFICATION

DATE: March 22, 2022
TO: Mayor and Council, City of Kettering
FROM: Planning Commission
SUBJECT: Request for Zoning Map Amendment (#PC-22-003)

Planning Commission hereby certifies that a public meeting for #PC-22-003 was held on March 21, 2022, concerning a request for a Zoning Map Amendment to rezone the property located at 950 Forrer Blvd. from O-Office to BP-Business Park.

Planning Commission hereby submits its recommendation to Council that the requested map amendments to the Official Zoning Map be approved.

Vote of the Planning Commission

The motion recommending approval was passed by a vote of 5:0.

Reason for Request

This request is keeping with the City of Kettering's goal to maximize commercial properties' suitability to accommodate businesses and industries. Expanding the available uses upon this site will allow for greater opportunity to create jobs and attract businesses to Kettering,

Respectfully submitted,

KETTERING PLANNING COMMISSION

By: David Roller, City Planner
Planning and Development Department



CITY OF KETTERING

PLANNING & DEVELOPMENT DEPARTMENT

CERTIFICATION

DATE: April 5, 2022
TO: Mayor and Council, City of Kettering
FROM: Planning Commission
SUBJECT: Request for Zoning Map Amendment (#PC-22-005)

Planning Commission hereby certifies that a public meeting for #PC-22-005 was held on April 4, 2022, concerning a request for a Zoning Map Amendment to rezone the property located at 2001 E. Dorothy Lane from Economic Development Overlay District #14 to B-Business.

Planning Commission hereby submits its recommendation to Council that the requested map amendments to the Official Zoning Map be approved.

Vote of the Planning Commission

The motion recommending approval was passed by a vote of 5:0.

Reason for Request

The current zoning district stipulates that proposed changes to the existing development would necessitate review and approval under our former Planned Unit Development ordinance. This ordinance is no longer in effect. Rezoning the property to a conventional zoning district fixes this defect and allows for improvement and investment.

Respectfully submitted,

KETTERING PLANNING COMMISSION

By: David Roller, City Planner
Planning and Development Department

CITY OF KETTERING, OHIO

AN ORDINANCE

By:

No.

**TO LEVY SPECIAL ASSESSMENTS FOR THE CONSTRUCTION
AND REPAIR OF CURBS, SIDEWALKS, DRIVE APPROACHES,
AND RELATED APPURTENANCES FOR THE MARSHALL ROAD
RESURFACING – E. DAVID TO SOUTH CORP PROJECT
(CITY PROJECT NO. 02-120H)**

WHEREAS, on December 8, 2020 this Council adopted Resolution No. 10502-20, a Resolution of Necessity, declaring the necessity to construct and repair curbs, sidewalks, driveway approaches, and related appurtenances, as part of the Marshall Road Resurfacing – E. David to South Corp Project (Project No. 02-120H)(“Project”); and

WHEREAS, notice of the passage of that Resolution of Necessity was given as required by law; and

WHEREAS, the City of Kettering subsequently constructed and/or repaired those curbs, sidewalks, driveway approaches, and related appurtenances which were not constructed or repaired by the owners of the abutting property; and

WHEREAS, the total cost of the construction has been reported to this Council; and a list of estimated assessments of that total cost has been prepared and placed on file in the office of the Clerk of this Council so as to be available for public inspection, and a copy of said list is attached hereto as Exhibit A and made a part of this Ordinance; and

WHEREAS, notice that the list of estimated assessments was available for inspection and examination was published as required by law in a newspaper of general circulation; and

WHEREAS, no objections to any assessment have been filed; and

WHEREAS, this Council has now reviewed the estimated assessments;

NOW, THEREFORE, Be It Ordained by the Council of the City of Kettering, Ohio, that:

Section 1. The list of estimated assessments referred to in the above recital paragraphs is hereby approved.

Section 2. The amounts of assessment on the list are hereby and shall be levied upon the lots and lands which abut the improvements, as set forth on the list.

Section 3. No assessment approved or levied by this Ordinance exceeds the special benefits resulting from the improvement and does not exceed any statutory limitation.

Section 4. The Clerk of Council is authorized and directed to continue to keep on file in her office until all the assessments have been paid in full a list of the assessments and the description of the lots and lands so assessed.

Section 5. The total assessment against each lot and parcel of land shall be payable in cash to the Finance Director of the City of Kettering by August 5, 2022, or, at the option of the property owner, shall be payable in not more than ten (10) annual installments over a period not exceeding ten (10) years, with the exact number of annual installments subject to the amount of the assessment, in accordance with the schedule set forth below:

<u>ASSESSMENT AMOUNT</u>	<u>ANNUAL INSTALLMENTS</u>	<u>INTEREST RATE</u>
\$0.01-249.99	1	1.35%
\$250.00-1499.99	5	1.90%
\$1500 & OVER	10	2.30%

Assessments paid in annual installments shall include all costs of the County Auditor and shall also include interest at the rates set forth in the above table.

All assessments and assessment installments that have not been paid at the expiration of the payment period allowed by this Ordinance shall, within fourteen (14) working days following such date of expiration, be certified by the Clerk of this Council to the County Auditor as provided by law. These assessments and installments are then to be placed on the tax duplicate and collected at the same time and in the same manner as real estate taxes are collected.

Section 6. The Clerk of Council is authorized and directed to cause notice of the passage of this Ordinance to be published once in a newspaper of general circulation in the City; the notice shall state that the assessments have been made and are on file in the office of the Clerk of Council for inspection and examination by interested persons.

Section 7. The Clerk of Council is authorized and directed to cause notice of the levy of the assessments to be filed with the County Auditor within twenty (20) days following the passage of this Ordinance. The Clerk of Council may provide such addition information to the County Auditor as may be required to effectuate the assessments. The Clerk of Council may provide such additional information to the County Auditor as may be required to effectuate the assessments, including, by way of example and without limitation, a summary of the assessments in table format containing only information requested by the County Auditor.

Section 8. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting; and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public, to the extent required by or under the Charter of this City.

Section 9. As provided in Section 4-8 of the City Charter, this Ordinance shall be effective two weeks after adoption.

Passed by Council this _____ day of _____ 2022.

PEGGY LEHNER, Mayor

ATTEST:

CERTIFICATE OF APPROVAL

LASHAUNAH D. KACZYNSKI,
Clerk of Council

THEODORE A. HAMER III,
Law Director

(Requested by Engineering Department)

EXHIBIT A

(3 pages including this page)

CITY OF KETTERING, OHIO

AN ORDINANCE

By:

No.

**TO LEVY SPECIAL ASSESSMENTS FOR THE CONSTRUCTION
AND REPAIR OF CURBS, SIDEWALKS, DRIVE APPROACHES,
AND RELATED APPURTENANCES FOR THE 2021 CURB,
SIDEWALK & DRIVE APPROACH PROGRAM (CITY PROJECT
NO. 05-121)**

WHEREAS, on October 13, 2020, this Council adopted Resolution No. 10484-20, a Resolution of Necessity, declaring the necessity to construct and repair curbs, sidewalks, driveway approaches, and related appurtenances, as part of the 2021 Curb, Sidewalk & Drive Approach Repair Project (Project No. 05-121); and

WHEREAS, notice of the passage of that Resolution of Necessity was given as required by law; and

WHEREAS, the City of Kettering subsequently constructed and/or repaired those curbs, sidewalks, driveway approaches, and related appurtenances which were not constructed or repaired by the owners of the abutting property; and

WHEREAS, the total cost of the construction has been reported to this Council; and a list of estimated assessments of that total cost has been prepared and placed on file in the office of the Clerk of this Council so as to be available for public inspection, and a copy of said list is attached hereto as Exhibit A and made a part of this Ordinance; and

WHEREAS, notice that the list of estimated assessments was available for inspection and examination was published as required by law in a newspaper of general circulation; and

WHEREAS, no objections to any assessment have been filed; and

WHEREAS, this Council has now reviewed the estimated assessments;

NOW, THEREFORE, Be It Ordained by the Council of the City of Kettering, Ohio, that:

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Section 3. No assessment approved or levied by this Ordinance exceeds the special benefits resulting from the improvement and does not exceed any statutory limitation.

Section 4. The Clerk of Council is authorized and directed to continue to keep on file in her office until all the assessments have been paid in full a list of the assessments and the description of the lots and lands so assessed.

Section 5. The total assessment against each lot and parcel of land shall be payable in cash to the Finance Director of the City of Kettering by August 5, 2022, or, at the option of the property owner, shall be payable in not more than ten (10) annual installments over a period not exceeding ten (10) years, with the exact number of annual installments subject to the amount of the assessment, in accordance with the schedule set forth below:

<u>ASSESSMENT AMOUNT</u>	<u>ANNUAL INSTALLMENTS</u>	<u>INTEREST RATE</u>
\$0.01-249.99	1	1.35%
\$250.00-1499.99	5	1.90%
\$1500 & OVER	10	2.30%

Assessments paid in annual installments shall include all costs of the County Auditor and shall also include interest at the rates set forth in the above table.

All assessments and assessment installments that have not been paid at the expiration of the payment period allowed by this Ordinance shall, within fourteen (14) working days following such date of expiration, be certified by the Clerk of this Council to the County Auditor as provided by law. These assessments and installments are then to be placed on the tax duplicate and collected at the same time and in the same manner as real estate taxes are collected.

Section 6. The Clerk of Council is authorized and directed to cause notice of the passage of this Ordinance to be published once in a newspaper of general circulation in the City; the notice shall state that the assessments have been made and are on file in the office of the Clerk of Council for inspection and examination by interested persons.

Section 7. The Clerk of Council is authorized and directed to cause notice of the levy of the assessments to be filed with the County Auditor within twenty (20) days following the passage of this Ordinance. The Clerk of Council may provide such additional information to the County Auditor as may be required to effectuate the assessments, including, by way of example and without limitation, a summary of the assessments in table format containing only information requested by the County Auditor.

Section 8. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting; and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public, to the extent required by or under the Charter of this City.

Section 9. As provided in Section 4-8 of the City Charter, this Ordinance shall be effective two weeks after adoption.

Passed by Council this _____ day of _____ 2022.

PEGGY LEHNER, Mayor

ATTEST:

CERTIFICATE OF APPROVAL

LASHAUNAH D. KACZYNSKI,
Clerk of Council

THEODORE A. HAMER III,
Law Director

(Requested by Engineering Department)

EXHIBIT A

(14 pages including this page)

FINAL ASSESSMENT COSTS/QUANTITIES for
2021 Curb, Sidewalk & Drive Approach Repair Program

Project #05-121

Repair Address	Parcel Number	Curb Removal	Concrete Curb	Patwalk Removal	Sidewalk	Sidewalk	5' Driv Approach	Asphalt Drive Appr	TOTAL EST COST
3001 BEAVER AVE	NM4 01906 0004	\$0.00	\$0.00	\$72.00	\$144.00	\$0.00	\$0.00	\$0.00	\$216.00
3008 BEAVER AVE	NM4 01906 0025	\$0.00	\$0.00	\$24.00	\$24.00	\$0.00	\$0.00	\$0.00	\$48.00
3008 BEAVER AVE	NM4 01906 0029	\$0.00	\$0.00	\$207.60	\$319.20	\$168.20	\$0.00	\$0.00	\$695.00
3013 BEAVER AVE	NM4 01906 0030	\$0.00	\$0.00	\$84.20	\$84.20	\$0.00	\$0.00	\$0.00	\$168.40
3013 BEAVER AVE	NM4 01906 0030	\$0.00	\$0.00	\$236.00	\$236.00	\$0.00	\$0.00	\$0.00	\$472.00
3017 BEAVER AVE	NM4 01906 0037	\$0.00	\$0.00	\$240.00	\$480.00	\$0.00	\$0.00	\$0.00	\$720.00
3023 BEAVER AVE	NM4 01906 0069	\$0.00	\$0.00	\$34.80	\$69.60	\$0.00	\$0.00	\$0.00	\$139.20
3029 BEAVER AVE	NM4 01906 0034	\$0.00	\$0.00	\$28.80	\$57.60	\$0.00	\$0.00	\$0.00	\$115.20
3033 BEAVER AVE	NM4 01906 0025	\$0.00	\$0.00	\$48.00	\$96.00	\$0.00	\$0.00	\$0.00	\$192.00
3037 BEAVER AVE	NM4 01906 0030	\$0.00	\$0.00	\$20.00	\$40.00	\$0.00	\$0.00	\$0.00	\$80.00
3040 BEAVER AVE	NM4 01906 0072	\$0.00	\$0.00	\$48.00	\$96.00	\$0.00	\$0.00	\$0.00	\$192.00
3041 BEAVER AVE	NM4 01906 0027	\$0.00	\$0.00	\$48.00	\$96.00	\$0.00	\$0.00	\$0.00	\$192.00
3104 BEAVER AVE	NM4 01906 0034	\$0.00	\$0.00	\$108.00	\$216.00	\$0.00	\$0.00	\$0.00	\$432.00
3105 BEAVER AVE	NM4 01906 0023	\$0.00	\$0.00	\$36.00	\$72.00	\$0.00	\$0.00	\$0.00	\$144.00
3108 BEAVER AVE	NM4 01906 0039	\$0.00	\$0.00	\$36.00	\$72.00	\$0.00	\$0.00	\$0.00	\$144.00
3108 BEAVER AVE	NM4 01906 0034	\$0.00	\$0.00	\$28.80	\$57.60	\$0.00	\$0.00	\$0.00	\$115.20
3113 BEAVER AVE	NM4 01906 0035	\$0.00	\$0.00	\$294.00	\$588.00	\$0.00	\$0.00	\$0.00	\$1176.00
3117 BEAVER AVE	NM4 01906 0027	\$0.00	\$0.00	\$84.00	\$168.00	\$0.00	\$0.00	\$0.00	\$336.00
3140 BEAVER AVE	NM4 01906 0100	\$0.00	\$0.00	\$120.00	\$240.00	\$0.00	\$0.00	\$0.00	\$480.00
1850 BEAVERTON DR	NM4 01906 0027	\$0.00	\$0.00	\$72.00	\$144.00	\$0.00	\$0.00	\$0.00	\$288.00
1851 BEAVERTON DR	NM4 01906 0025	\$0.00	\$0.00	\$132.00	\$264.00	\$0.00	\$0.00	\$0.00	\$528.00

**FINAL ASSESSMENT COSTS/QUANTITIES for
2021 Curb, Sidewalk & Drive Approach Repair Program**

Project #05-121

Report Address	Parcel Number	Curb Removal	Concrete Curb	Retainment Removal	Sidewalk	Sidewalk	6" Drive Asphalt	Asphalt Drive Appr.	TOTAL EST. COST
1724	BEAVERTON DR	N#4 02212 0009	537.00	1182.00	5528.00	11086.00	50.00	50.00	11,423.00
1725	BEAVERTON DR	N#4 02212 0006	8.00	6.00	176.00	176.00	0.00	0.00	52,355.00
1800	BEAVERTON DR	N#4 02212 0018	18.00	18.00	172.00	61.00	0.00	112.00	51,925.10
1804	BEAVERTON DR	N#4 01603 0007	18.00	18.00	132.00	50.00	0.00	112.00	51,978.50
1805	BEAVERTON DR	N#4 01603 0027	25.00	25.00	304.88	220.00	0.00	103.88	54,924.42
1808	BEAVERTON DR	N#4 01603 0020	18.00	18.00	164.00	84.00	0.00	84.00	52,723.50
1813	BEAVERTON DR	N#4 01603 0019	3.00	3.00	28.00	28.00	0.00	0.00	579.50
1817	BEAVERTON DR	N#4 01603 0018	0.00	0.00	16.00	14.00	0.00	0.00	514.00
1821	BEAVERTON DR	N#4 01603 0017	0.00	0.00	108.00	109.00	0.00	0.00	5872.00
1851	BEAVERTON DR	N#4 01603 0016	20.00	20.00	189.88	61.00	0.00	0.00	82,827.12
1854	BEAVERTON DR	N#4 01603 0008	18.00	18.00	145.96	40.00	0.00	105.86	52,481.15
1855	BEAVERTON DR	N#4 01603 0015	0.00	0.00	64.00	64.00	0.00	0.00	82,780.00
1858	BEAVERTON DR	N#4 01603 0008	22.00	22.00	129.75	24.00	0.00	105.75	52,089.73
1859	BEAVERTON DR	N#4 01603 0014	20.00	20.00	181.88	64.00	0.00	87.88	52,458.82
5501	BIGGER RD	N#4 02177 0007	0.00	0.00	103.00	0.00	0.00	0.00	3509.00
5888	BIGGER RD	N#4 02907 0002	0.00	0.00	3388.00	8792.00	30.00	0.00	11,188.00
1725	BOESEL AVE	N#4 02204 0029	544.90	31,870.20	425.90	52,942.40	30.00	3572.50	53,881.90
1725	BOESEL AVE	N#4 02204 0030	47.20	47.20	425.90	340.40	0.00	84.50	53,951.35
1725	BOESEL AVE	N#4 02204 0031	22.00	22.00	283.15	172.00	0.00	117.15	53,454.54
1730	BOESEL AVE	N#4 02204 0031	524.50	8882.00	882.00	11,020.00	30.00	3572.50	53,951.35
1742	BOESEL AVE	N#4 02204 0028	31.00	31.00	241.34	50.00	0.00	153.34	51,028.07
1743	BOESEL AVE	N#4 02204 0022	4.00	4.00	98.00	88.00	0.00	0.00	51,445.00

FINAL ASSESSMENT COSTS/QUANTITIES for
2021 Curb, Sidewalk & Drive Approach Repair Program

Repair Address	Parcel Number	Curb Removal	Concrete CURB	Retainement Removal	Sidewalk	Sidewalk	Driveway Approach	Driveway Approach	TOTAL EST. COST
1747 BOESSEL AVE	M44 02204 0023	\$100.00	\$640.00	\$4,415.00	\$288.00	\$0.00	\$460.70	\$0.00	\$2,803.30
1750 BOESSEL AVE	M44 02204 0028	20.00	20.00	141.45	48.00	0.00	59.45	0.00	\$2,803.30
1751 BOESSEL AVE	M44 02204 0034	\$180.00	\$640.00	\$6,890.40	\$532.00	\$340.00	\$604.80	\$0.00	\$4,151.75
1800 BOESSEL AVE	M44 02204 0007	\$20.00	\$20.00	\$22.80	\$2.00	\$0.00	\$0.00	\$0.00	\$3,206.00
1801 BOESSEL AVE	M44 02204 0015	\$20.00	\$20.00	\$13.75	\$0.00	\$0.00	\$0.00	\$0.00	\$1,044.00
1804 BOESSEL AVE	M44 02204 0026	\$100.00	\$640.00	\$3,584.20	\$192.00	\$0.00	\$0.00	\$0.00	\$2,017.40
1809 BOESSEL AVE	M44 02204 0007	\$200.00	\$640.00	\$7,980.00	\$480.00	\$102.00	\$0.00	\$0.00	\$3,330.37
1812 BOESSEL AVE	M44 02204 0004	\$199.25	\$972.00	\$3,090.00	\$216.00	\$0.00	\$0.00	\$0.00	\$2,681.74
1813 BOESSEL AVE	M44 02204 0002	\$200.00	\$640.00	\$3,985.75	\$216.00	\$0.00	\$0.00	\$0.00	\$2,718.25
1816 BOESSEL AVE	M44 02204 0003	\$184.30	\$2,030.00	\$3,937.44	\$120.00	\$0.00	\$0.00	\$0.00	\$1,901.44
1817 BOESSEL AVE	M44 01972 0029	\$20.00	\$20.00	\$20.00	\$0.00	\$0.00	\$0.00	\$0.00	\$4.00
1820 BOESSEL AVE	M44 01972 0028	\$190.00	\$640.00	\$4,082.32	\$48.00	\$0.00	\$0.00	\$0.00	\$2,278.48
2020 BRYANWOOD DR	M44 02073 0006	\$20.00	\$20.00	\$184.12	\$0.00	\$0.00	\$0.00	\$0.00	\$308.00
2026 BRYANWOOD DR	M44 02277 0018	\$20.00	\$20.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
1720 BROWNLEIGH RD	M44 01223 0001	\$50.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$288.00
1751 BROWNLEIGH RD	M44 01908 0182	\$0.00	\$0.00	\$20.00	\$0.00	\$0.00	\$0.00	\$0.00	\$180.00
1754 BROWNLEIGH RD	M44 01310 0007	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$464.00
1762 BROWNLEIGH RD	M44 01310 0003	\$104.50	\$343.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$429.50
1765 BROWNLEIGH RD	M44 02202 2001	\$272.50	\$628.00	\$1,785.20	\$552.00	\$0.00	\$1,020.80	\$0.00	\$3,298.50
2004 BULLAWAY AVE	M44 01908 0189	\$104.50	\$352.00	\$202.10	\$0.00	\$0.00	\$0.00	\$0.00	\$496.50
2020 BULLAWAY AVE	M44 01908 0172	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$180.00
2024 BULLAWAY AVE	M44 01908 0173	\$57.00	\$193.00	\$0.00	\$120.00	\$0.00	\$0.00	\$0.00	\$420.00

FINAL ASSESSMENT COSTS/QUANTITIES for
2021 Curb, Sidewalk & Drive Approach Repair Program

Project #05-121

Repair Address	Parcel Number	Curb Removal	Concrete Curb	Retiwork Removal	Stencils	Stencils	5' in Drive	Approach	Driveway	Asphalt	TOTAL EST. COST
1940 CULVER AVE	M64 01043 0002	\$0.00	\$0.00	\$135.00	\$71.20	\$3.00	\$0.00	\$0.00	\$0.00	\$0.00	\$448.80
1880 E DOROTHY LN	M64 01095 0006	\$0.00	\$0.00	45.20	45.20	0.00	0.00	0.00	0.00	0.00	\$412.00
4200 FERRBROOK ST	M64 02615 0018	\$0.00	\$0.00	\$395.00	\$192.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,088.00
4225 FERRBROOK ST	M64 02617 0002	\$0.00	\$0.00	\$336.00	\$072.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,088.00
4301 FERRBROOK ST	M64 02617 0003	\$0.00	\$0.00	\$180.00	\$590.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$3,440.00
4320 GLENHEATH DR	M64 02302 0008	\$0.00	\$0.00	\$842.00	\$1,384.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$2,828.00
4308 GLENHEATH DR	M64 02319 0002	\$0.00	\$0.00	\$34.00	\$14.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,652.00
4304 GLENHEATH DR	M64 02407 0006	\$0.00	\$0.00	\$180.00	\$590.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$4,440.00
4341 GLENHEATH DR	M64 02407 0007	\$0.00	\$0.00	\$800.00	\$1,200.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,088.00
4350 GLENHEATH DR	M64 02407 0002	\$0.00	\$0.00	\$200.00	\$200.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$444.00
4408 GLENHEATH DR	M64 02212 0004	\$0.00	\$0.00	\$26.00	\$66.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$288.00
4416 GLENHEATH DR	M64 02212 0003	\$0.00	\$0.00	\$26.00	\$66.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$288.00
4432 GLENHEATH DR	M64 02212 0007	\$0.00	\$0.00	\$26.00	\$66.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,528.00
3306 HARWOOD ST	M64 01616 0013	\$205.20	\$81.20	\$763.02	\$798.00	\$194.40	\$595.84	\$0.00	\$0.00	\$0.00	\$2,189.48
3312 HARWOOD ST	M64 01616 0014	\$180.00	\$60.00	\$660.36	\$528.00	\$208.80	\$601.32	\$0.00	\$0.00	\$0.00	\$2,628.08
3318 HARWOOD ST	M64 01616 0015	\$209.00	\$74.00	\$624.74	\$720.00	\$0.00	\$49.48	\$0.00	\$0.00	\$0.00	\$2,817.22
3324 HARWOOD ST	M64 01616 0016	\$361.00	\$131.60	\$493.59	\$330.00	\$0.00	\$527.00	\$0.00	\$0.00	\$0.00	\$3,067.40
3325 HARWOOD ST	M64 01310 0004	\$42.50	\$160.00	\$292.80	\$345.60	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,088.90
3330 HARWOOD ST	M64 01212 0002	\$268.00	\$88.00	\$564.18	\$312.00	\$208.80	\$567.52	\$0.00	\$0.00	\$0.00	\$2,914.48
3336 HARWOOD ST	M64 01212 0007	\$309.00	\$74.00	\$477.73	\$336.00	\$398.00	\$731.46	\$0.00	\$0.00	\$0.00	\$2,944.19
3337 HARWOOD ST	M64 01310 0003	\$62.00	\$0.00	\$24.81	\$4.00	\$48.00	\$121.81	\$0.00	\$0.00	\$0.00	\$2,558.68
3348 HARWOOD ST	M64 01212 0023	\$0.00	\$0.00	\$1,200.00	\$240.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$360.00

FINAL ASSESSMENT COSTS/QUANTITIES for
2021 Curb, Sidewalk & Drive Approach Repair Program

Project #05-121

Repair Address	Person Number	City	Concrete	Flank	Sidewalk	Sidewalk	Sidewalk	Gr Drive	Approach	Approach	TOTAL EST. COST
		Removal	Curb	Retention	4"	6"	8"	Drive	Approach	Drive Appr	
3361 HARWOOD ST	M64 01212 0022	57.00	\$192.00	50.00	50.00	50.00	50.00	50.00	50.00	50.00	\$248.00
3368 HARWOOD ST	M64 01212 0025	6.00	6.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	\$72.00
3373 HARWOOD ST	M64 01212 0021	20.00	20.00	250.00	120.00	34.00	64.00	50.00	50.00	50.00	\$3,124.00
3380 HARWOOD ST	M64 01212 0026	332.50	\$1,120.00	\$748.74	\$300.00	\$300.00	\$777.48	60.00	125.48	0.00	\$4,198.72
3387 HARWOOD ST	M64 01212 0029	\$318.50	\$738.00	\$727.20	\$433.00	\$264.00	\$564.00	44.00	128.40	0.00	\$4,124.16
3392 HARWOOD ST	M64 01212 0007	\$129.50	\$472.00	\$602.31	\$788.00	48.00	\$564.00	\$657.88	0.00	0.00	\$2,678.22
3397 HARWOOD ST	M64 01212 0019	\$328.50	\$684.00	\$628.00	\$383.00	\$240.00	\$540.00	\$672.00	0.00	0.00	\$3,083.50
3400 HARWOOD ST	M64 01212 0009	\$190.00	\$840.00	\$837.92	\$408.00	\$354.00	\$652.84	50.00	100.84	0.00	\$2,723.78
3401 HARWOOD ST	M64 01212 0018	\$248.50	\$684.00	\$722.34	\$552.00	\$240.00	\$652.88	50.00	100.84	0.00	\$3,187.22
3409 HARWOOD ST	M64 01212 0029	\$209.85	\$707.20	\$501.36	\$382.00	50.00	\$618.72	50.00	0.00	0.00	\$2,451.22
3413 HARWOOD ST	M64 01212 0017	22.10	22.10	167.12	64.00	0.00	103.12	0.00	0.00	0.00	\$2,483.28
3418 HARWOOD ST	M64 01212 0010	\$180.00	\$648.00	\$351.78	\$208.40	\$240.00	\$40.00	108.52	0.00	0.00	\$2,148.50
3428 HARWOOD ST	M64 01212 0011	\$198.50	\$672.00	\$425.18	\$30.00	40.00	102.00	0.00	0.00	0.00	\$2,248.54
3438 HARWOOD ST	M64 01212 0012	21.00	21.00	153.08	0.00	44.00	108.08	50.00	0.00	0.00	\$1,980.00
3439 HARWOOD ST	M64 01212 0019	\$515.00	\$1,738.00	\$840.00	\$144.00	\$552.00	\$1,104.00	50.00	0.00	0.00	\$4,771.00
3439 HARWOOD ST	M64 01212 0014	54.00	54.00	280.00	24.00	72.00	184.00	0.00	0.00	0.00	\$2,428.22
3439 HARWOOD ST	M64 01212 0014	34.00	34.00	225.26	60.00	48.40	118.88	0.00	0.00	0.00	\$3,078.40
3478 HARWOOD ST	M64 01212 0015	\$104.50	\$352.00	\$312.00	\$104.00	0.00	0.00	0.00	0.00	0.00	\$1,362.20
3500 HARWOOD ST	M64 01212 0043	50.00	50.00	40.00	50.00	50.00	50.00	50.00	50.00	50.00	\$3,900.00
3504 HARWOOD ST	M64 01212 0042	50.00	50.00	50.00	50.00	50.00	50.00	50.00	50.00	50.00	\$3,900.00
3508 HARWOOD ST	M64 01212 0041	\$133.50	\$462.00	50.00	50.00	50.00	50.00	50.00	50.00	50.00	\$581.00

FINAL ASSESSMENT COSTS/QUANTITIES for
2021 Curb, Sidewalk & Drive Approach Repair Program

Repair Address	Project Number	Curb	Concrete Removal	Formwork	Schedule	Sidewalk	Approach	Driv. Appr.	Asphalt	TOTAL EST. COST
3412 HAWWOOD ST	M64-0146-0040	\$0.00	\$0.00	\$106.60	\$311.20	\$0.00	\$0.00	\$0.00	\$0.00	\$728.80
3608 HAWWOOD ST	M64-0156-0025	\$0.00	\$0.00	\$50.00	\$50.00	\$120.00	\$0.00	\$0.00	\$0.00	\$180.00
3812 HAWWOOD ST	M64-0156-0001	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
3784 HEMPILL RD	M64-05107-0007	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2780 HEMPILL RD	M64-05107-0008	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
1830 HEMWITT AVE	M64-04203-0007	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
3600 HEMWITT AVE	M64-03513-0003	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2078 HEMWITT AVE	M64-03014-0001	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2100 HEMWITT AVE	M64-03013-0006	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2120 HEMWITT AVE	M64-03203-0005	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2178 HEMWITT AVE	M64-03413-0007	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2198 HEMWITT AVE	M64-03413-0001	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
1700 KRUSSE AVE	M64-01516-0017	\$1,892.50	\$3,880.00	\$7,095.88	\$3,009.80	\$84.80	\$1,007.78	\$0.00	\$0.00	\$18,080.76
1701 KRUSSE AVE	M64-01516-0011	\$448.50	\$1,504.00	\$0.00	\$1,054.00	\$182.00	\$0.00	\$0.00	\$0.00	\$3,188.50
1704 KRUSSE AVE	M64-01516-0018	\$1,993.50	\$872.00	\$804.50	\$480.00	\$0.00	\$729.50	\$0.00	\$0.00	\$3,980.50
1705 KRUSSE AVE	M64-01516-0009	\$21.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$21.00
1708 KRUSSE AVE	M64-01516-0019	\$21.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$21.00
1709 KRUSSE AVE	M64-01516-0020	\$21.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$21.00
1712 KRUSSE AVE	M64-01516-0023	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
1713 KRUSSE AVE	M64-01516-0007	\$317.50	\$80.00	\$535.28	\$320.00	\$244.00	\$4.00	\$0.00	\$0.00	\$1,230.78
1718 KRUSSE AVE	M64-01516-0027	\$357.50	\$302.25	\$530.75	\$0.00	\$0.00	\$1,083.50	\$0.00	\$0.00	\$2,274.00
1717 KRUSSE AVE	M64-01516-0008	\$300.00	\$700.00	\$378.18	\$0.00	\$124.80	\$0.00	\$0.00	\$0.00	\$1,403.00

FINAL ASSESSMENT COSTS/QUANTITIES FOR
2021 Curb, Sidewalk & Drive Approach Repair Program

Project #05-124

Region/Address	Parcel Number	Curb Removal	Concrete Curb	Framework Removal	4" Sidewalk	5" Sidewalk	5" Driveway Approach	Asphalt Driveway	TOTAL EST. COST
3825 LISBON ST	N64 02254 0025	\$190.00	\$640.00	\$355.50	\$314.40	\$222.80	\$594.96	\$0.00	\$2,302.24
3833 LISBON ST	N64 02254 0023	\$152.00	\$313.00	\$80.00	\$2.40	\$8.00	\$8.16	\$0.00	\$564.00
3841 LISBON ST	N64 02254 0024	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
3856 LISBON ST	N64 02254 0027	\$537.00	\$2,112.00	\$501.20	\$192.00	\$168.00	\$842.40	\$0.00	\$4,542.60
3859 LISBON ST	N64 02254 0023	\$64.00	\$68.00	\$200.40	\$2.00	\$8.00	\$140.40	\$0.00	\$3,197.94
3864 LISBON ST	N64 02254 0028	\$26.00	\$29.00	\$564.80	\$216.00	\$170.00	\$963.60	\$0.00	\$2,884.74
3865 LISBON ST	N64 02254 0022	\$155.50	\$372.00	\$374.40	\$480.00	\$384.00	\$504.80	\$0.00	\$1,440.00
3873 LISBON ST	N64 02254 0027	\$180.00	\$18.00	\$168.00	\$64.00	\$16.00	\$8.20	\$0.00	\$2,558.20
3881 LISBON ST	N64 02254 0020	\$180.00	\$18.00	\$408.99	\$192.00	\$0.00	\$921.89	\$0.00	\$3,009.44
3888 LISBON ST	N64 02254 0040	\$395.00	\$960.00	\$1,111.20	\$884.00	\$64.00	\$952.00	\$0.00	\$4,578.88
3889 LISBON ST	N64 02254 0019	\$158.50	\$21.00	\$30.00	\$0.00	\$0.00	\$0.00	\$0.00	\$871.50
3893 LISBON ST	N64 02254 0018	\$190.00	\$440.00	\$576.33	\$208.00	\$144.00	\$500.85	\$0.00	\$2,458.89
3896 LISBON ST	N64 02254 0005	\$190.00	\$640.00	\$311.24	\$8.00	\$0.00	\$822.08	\$0.00	\$1,763.12
3897 LISBON ST	N64 02254 0017	\$0.00	\$0.00	\$80.00	\$120.00	\$0.00	\$0.00	\$0.00	\$180.00
3900 LISBON ST	N64 02254 0008	\$237.50	\$908.00	\$788.00	\$180.00	\$402.00	\$880.00	\$0.00	\$3,385.50
3901 LISBON ST	N64 02254 0016	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$80.00
3904 LISBON ST	N64 02254 0007	\$0.00	\$0.00	\$132.00	\$0.00	\$264.00	\$0.00	\$0.00	\$396.00
3905 LISBON ST	N64 02254 0015	\$64.50	\$288.00	\$506.20	\$352.80	\$246.00	\$519.80	\$0.00	\$2,182.40
3908 LISBON ST	N64 02254 0008	\$190.00	\$672.00	\$626.94	\$312.00	\$388.00	\$653.88	\$0.00	\$2,742.22
3909 LISBON ST	N64 02254 0014	\$0.00	\$0.00	\$180.00	\$360.00	\$0.00	\$0.00	\$0.00	\$540.00
3912 LISBON ST	N64 02254 0009	\$47.50	\$160.00	\$819.00	\$273.20	\$225.20	\$7.20	\$0.00	\$2,664.20
3913 LISBON ST	N64 02254 0013	\$160.00	\$680.00	\$408.99	\$284.00	\$120.00	\$555.96	\$0.00	\$2,188.44

FINAL ASSESSMENT COSTS/QUANTITIES for
2021 Curb, Sidewalk & Drive Approach Repair Program

Project #05-121

Repair Address	Parcel Number	Curb Removal	Concrete Curb	Patwalk Removal	Sidewalk	Sidewalk	Driv. Approach	Driv. Approach	Asphalt Drive Apr.	TOTAL EST. COST
3118 LISBON ST	NS4 02204 0010	18.00	19.00	156.69	44.00	20.00	22.56	0.00	0.00	22379.18
3117 LISBON ST	NS4 02204 0012	27.00	27.00	195.40	80.00	18.00	99.40	0.00	0.00	11094.28
3120 LISBON ST	NS4 02204 0011	17.00	17.00	143.42	52.00	0.00	91.42	0.00	0.00	8197.48
3124 LISBON ST	NS4 01912 0022	21.00	21.00	244.44	100.00	22.40	122.04	0.00	0.00	83154.46
2817 MEADOW PARK DR	NS4 02913 0003	0.00	0.00	305.24	74.00	0.00	217.44	0.00	0.00	3904.00
2832 MEADOW PARK DR	NS4 02815 0016	0.00	0.00	2257.00	850.00	0.00	50.00	0.00	0.00	3756.00
3005 MICHIGAN AVE	NS4 01908 0016	0.00	0.00	94.00	64.00	0.00	0.00	0.00	0.00	3578.00
3020 MICHIGAN AVE	NS4 01908 0150	0.00	0.00	88.00	112.00	0.00	0.00	0.00	0.00	2298.00
3021 MICHIGAN AVE	NS4 01908 0080	4.00	4.00	262.00	32.00	0.00	0.00	0.00	0.00	3244.00
3029 MICHIGAN AVE	NS4 01908 0082	0.00	0.00	20.00	20.00	0.00	0.00	0.00	0.00	1583.00
3040 MICHIGAN AVE	NS4 01908 0125	8.00	8.00	9.00	0.00	0.00	0.00	0.00	0.00	3302.00
3041 MICHIGAN AVE	NS4 01908 0083	0.00	0.00	1198.00	3218.00	0.00	50.00	0.00	0.00	3324.00
3100 MICHIGAN AVE	NS4 01908 0158	0.00	0.00	36.00	36.00	0.00	0.00	0.00	0.00	1144.00
3104 MICHIGAN AVE	NS4 01908 0159	0.00	0.00	16.00	16.00	0.00	0.00	0.00	0.00	3024.00
3108 MICHIGAN AVE	NS4 01908 0140	3.00	3.00	146.88	324.00	0.00	106.40	0.00	0.00	11474.00
3124 MICHIGAN AVE	NS4 01908 0144	0.00	0.00	18.00	18.00	0.00	0.00	0.00	0.00	3144.00
3138 MICHIGAN AVE	NS4 01908 0170	0.00	0.00	28.00	28.00	0.00	0.00	0.00	0.00	2252.00
3140 MICHIGAN AVE	NS4 01908 0147	0.00	0.00	18.00	18.00	0.00	0.00	0.00	0.00	1144.00
3144 MICHIGAN AVE	NS4 01908 0203	0.00	0.00	548.00	586.00	0.00	0.00	0.00	0.00	1144.00
3145 MICHIGAN AVE	NS4 01908 0171	0.00	0.00	5120.00	586.00	144.00	0.00	0.00	0.00	5096.00
3153 MICHIGAN AVE	NS4 01908 0173	0.00	0.00	5251.00	586.00	0.00	0.00	0.00	0.00	7768.00

FINAL ASSESSMENT COSTS/QUANTITIES for
2021 Curb, Sidewalk & Drive Approach Repair Program

Request Address	Parent Number	Child Removal	Concrete Removal	Reinforced Concrete Removal	Steelwork	Shelving	Site Work	6in Drive Approach	Asphalt Drive Appr	TOTAL ESTI COST
3186 MONTICAN AVE	M64 0706 0152	495.50	\$208.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$208.00
		9.00	9.00	0.00	0.00	0.00	0.00	0.00	0.00	18.00
3288 MONTPELIER	L410007100710003800	50.00	\$0.00	\$75.00	\$150.00	\$0.00	\$0.00	\$0.00	\$0.00	\$375.00
		0.00	0.00	25.00	25.00	0.00	0.00	0.00	0.00	75.00
584 ORANSEWOOD DR	M64 0708 1012	\$190.00	\$840.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,030.00
		10.00	10.00	0.00	0.00	0.00	0.00	0.00	0.00	20.00
4488 BURNWOOD DR	M64 0207 0034	\$0.00	\$0.00	\$716.00	\$243.00	\$182.00	\$0.00	\$0.00	\$0.00	\$1,141.00
		0.00	0.00	21.00	4.00	11.00	0.00	0.00	0.00	36.00
3184 RIDGEMORE AVE	M64 0072 0017	\$315.65	\$724.40	\$584.69	\$448.00	\$108.00	\$612.22	\$0.00	\$0.00	\$2,898.96
		22.70	22.70	228.22	108.00	18.00	162.22	0.00	0.00	541.14
3193 RIDGEMORE AVE	M64 0072 0010	\$230.00	\$180.00	\$611.00	\$312.30	\$116.00	\$816.00	\$0.00	\$0.00	\$2,265.30
		24.00	24.00	304.00	116.00	52.00	136.00	0.00	0.00	622.00
3198 RIDGEMORE AVE	M64 0072 0016	\$304.00	\$162.00	\$530.00	\$120.00	\$298.00	\$405.84	\$210	\$0.00	\$2,459.84
		32.00	32.00	169.84	20.00	48.00	101.84	0.00	0.00	371.68
3198 RIDGEMORE AVE	M64 0072 0017	\$39.00	\$126.00	\$312.00	\$82.00	\$0.00	\$0.00	\$0.00	\$0.00	\$559.00
		4.00	4.00	124.00	104.00	0.00	0.00	0.00	0.00	232.00
3112 RIDGEMORE AVE	M64 0072 0019	\$321.00	\$834.00	\$310.14	\$144.00	\$0.00	\$586.28	\$0.00	\$0.00	\$2,185.42
		28.00	28.00	122.38	24.00	0.00	89.28	0.00	0.00	263.66
3113 RIDGEMORE AVE	M64 0072 0012	\$228.00	\$788.00	\$875.10	\$313.80	\$603.60	\$0.00	\$0.00	\$0.00	\$3,034.18
		24.00	24.00	291.16	159.00	33.50	100.10	0.00	0.00	587.76
3116 RIDGEMORE AVE	M64 0072 0017	\$171.00	\$576.00	\$367.18	\$360.00	\$219.40	\$358.98	\$0.00	\$0.00	\$2,296.56
		18.00	18.00	185.73	60.00	38.40	98.53	0.00	0.00	380.66
3117 RIDGEMORE AVE	M64 0072 0013	\$198.50	\$672.00	\$880.40	\$460.00	\$48.00	\$672.00	\$0.00	\$0.00	\$3,242.90
		21.00	21.00	229.80	100.00	14.80	112.00	0.00	0.00	477.60
3121 RIDGEMORE AVE	M64 0072 0014	\$238.00	\$768.00	\$768.80	\$735.00	\$141.00	\$672.00	\$0.00	\$0.00	\$3,296.80
		24.00	24.00	255.60	120.00	23.50	112.00	0.00	0.00	535.10
3128 RIDGEMORE AVE	M64 0340 0048	\$0.00	\$0.00	\$84.00	\$168.00	\$0.00	\$0.00	\$0.00	\$0.00	\$252.00
		0.00	0.00	28.00	28.00	0.00	0.00	0.00	0.00	84.00
3129 RIDGEMORE AVE	M64 0207 0065	\$57.00	\$152.00	\$817.70	\$623.20	\$127.20	\$365.60	\$0.00	\$0.00	\$2,105.70
		4.00	6.00	205.80	87.20	21.20	97.40	0.00	0.00	316.60
3156 RIDGEMORE AVE	M64 0340 0033	\$0.00	\$0.00	\$359.00	\$752.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,111.00
		0.00	0.00	11.40	113.00	0.00	0.00	0.00	0.00	124.40
3157 RIDGEMORE AVE	M64 0202 1004	\$208.00	\$104.00	\$583.05	\$409.00	\$78.20	\$678.50	\$0.00	\$0.00	\$2,466.75
		22.00	22.00	184.25	89.00	13.20	113.15	0.00	0.00	391.60
3165 RIDGEMORE AVE	M64 0202 0043	\$95.50	\$288.00	\$362.00	\$182.00	\$67.50	\$0.00	\$0.00	\$0.00	\$1,095.00
		8.00	8.00	32.00	32.00	0.00	0.00	0.00	0.00	72.00
3190 RIDGEMORE AVE	M64 0340 0034	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
3193 RIDGEMORE AVE	M64 0202 0082	\$85.50	\$298.00	\$439.00	\$848.00	\$120.00	\$0.00	\$0.00	\$0.00	\$1,580.50
		8.00	9.00	124.00	114.00	20.00	0.00	0.00	0.00	267.00
798 ROCKHILL AVE	M64 0202 0082	\$395.00	\$890.00	\$383.00	\$240.00	\$144.00	\$810.00	\$0.00	\$0.00	\$2,462.00
		30.00	30.00	200.00	40.00	24.00	138.00	0.00	0.00	432.00
2118 SPRINGHILL RD	M64 0207 0017	\$0.00	\$0.00	\$360.00	\$720.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,080.00

FINAL ASSESSMENT COSTS/QUANTITIES for
2021 Curb, Sidewalk & Drive Approach Repair Program

Project #03-121

Repair Address	Parcel Number	Curb Removal	Concrete Curb	Fatwalk Removal	Sidewalk	Sidewalk	Sidewalk	5'-Wide Approach	Drive Apr.	Approach	Drive Apr.	TOTAL EST. COST
1823 TREMONT CIR	N64-01903-0051	0.00	0.00	130.00	120.00	0.00	0.00	0.00	0.00	0.00	0.00	\$288.00
3083 VALLEWOOD DR	N64-01903-0713	\$180.50	\$688.00	\$88.00	\$182.00	0.00	0.00	0.00	0.00	0.00	0.00	\$1,128.50
3101 VALLEWOOD DR	N64-01903-0710	0.00	19.00	36.00	36.00	36.00	0.00	0.00	0.00	0.00	0.00	\$182.00
1754 WICK CT	N64-01910-0007	0.00	0.00	\$348.00	\$432.00	\$284.00	0.00	0.00	0.00	0.00	0.00	\$1,044.00
1755 WICK CT	N64-01910-0006	0.00	0.00	\$640.00	\$538.28	\$78.20	44.00	0.00	0.00	0.00	0.00	\$2,447.48
1759 WICK CT	N64-02903-0709	29.00	20.00	179.78	13.20	13.20	60.00	108.58	0.00	0.00	0.00	\$391.16
1759 WICK CT	N64-02903-0709	\$47.50	\$150.00	\$241.20	\$240.00	\$242.40	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,868.84
1759 WICK CT	N64-01910-0005	5.00	5.00	\$9.40	48.00	48.00	0.00	0.00	0.00	0.00	0.00	\$1,868.84
1836 WICK CT	N64-01910-0005	\$171.00	\$578.00	\$383.28	\$182.00	\$0.00	\$574.56	\$0.00	\$0.00	\$0.00	\$0.00	\$1,868.84
1790 WILLAMET RD	N64-01903-0710	18.00	18.00	127.78	32.00	32.00	0.00	95.78	0.00	0.00	0.00	\$788.40
1790 WILLAMET RD	N64-01903-0709	\$39.00	\$139.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$104.00
1748 WILLAMET RD	N64-01903-0087	4.00	4.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$4,451.78
1748 WILLAMET RD	N64-01903-0087	\$24.50	\$882.00	\$1,035.78	\$432.00	\$578.00	\$1,103.32	\$0.00	\$0.00	\$0.00	\$0.00	\$4,451.78
1748 WILLAMET RD	N64-01903-0084	31.00	31.00	381.92	72.00	72.00	96.00	183.92	0.00	0.00	0.00	\$3,203.00
1748 WILLAMET RD	N64-01903-0084	\$247.00	\$832.00	\$708.00	\$360.00	\$284.00	\$1,056.00	\$0.00	\$0.00	\$0.00	\$0.00	\$3,203.00
1752 WILLAMET RD	N64-01903-0086	\$258.50	\$854.00	\$1,144.66	\$1,080.80	\$218.80	\$1,072.50	\$0.00	\$0.00	\$0.00	\$0.00	\$4,464.43
1752 WILLAMET RD	N64-01903-0086	27.00	27.00	381.55	178.80	188.75	0.00	0.00	0.00	0.00	0.00	\$4,464.43
1753 WILLAMET RD	N64-01903-0095	0.00	0.00	44.00	44.00	0.00	0.00	0.00	0.00	0.00	0.00	\$306.00
3416 WILLAMET RD	N64-01903-0093	\$0.00	\$0.00	\$423.40	\$0.00	\$0.00	\$0.00	\$565.80	\$0.00	\$0.00	\$0.00	\$1,285.20
3416 WILLAMET RD	N64-01903-0093	0.00	0.00	142.80	0.00	0.00	0.00	142.80	0.00	0.00	0.00	\$1,285.20
1848 WINDEMERE DR	N64-01903-0005	\$0.00	\$0.00	\$357.00	\$0.00	\$0.00	\$0.00	\$742.00	\$0.00	\$0.00	\$0.00	\$1,071.00
1848 WINDEMERE DR	N64-01903-0005	0.00	0.00	118.00	0.00	0.00	0.00	118.00	0.00	0.00	0.00	\$1,071.00
1861 WINDEMERE DR	N64-01903-0007	\$0.00	\$0.00	\$158.39	\$0.00	\$0.00	\$0.00	\$318.78	\$0.00	\$0.00	\$0.00	\$478.17
1861 WINDEMERE DR	N64-01903-0007	0.00	0.00	53.13	0.00	0.00	0.00	53.13	0.00	0.00	0.00	\$478.17
1800 WINDEMERE DR	N64-01903-0092	\$0.00	\$0.00	\$282.00	\$0.00	\$0.00	\$0.00	\$584.00	\$0.00	\$0.00	\$0.00	\$844.00
1800 WINDEMERE DR	N64-01903-0092	0.00	0.00	94.00	0.00	0.00	0.00	94.00	0.00	0.00	0.00	\$844.00
1804 WINDEMERE DR	N64-01903-0091	\$0.00	\$0.00	\$278.90	\$0.00	\$0.00	\$0.00	\$553.80	\$0.00	\$0.00	\$0.00	\$828.70
1804 WINDEMERE DR	N64-01903-0091	0.00	0.00	92.30	0.00	0.00	0.00	92.30	0.00	0.00	0.00	\$828.70
1808 WINDEMERE DR	N64-01903-0090	\$0.00	\$0.00	\$284.96	\$0.00	\$0.00	\$0.00	\$589.32	\$0.00	\$0.00	\$0.00	\$874.28
1808 WINDEMERE DR	N64-01903-0090	0.00	0.00	98.32	0.00	0.00	0.00	98.32	0.00	0.00	0.00	\$874.28
1812 WINDEMERE DR	N64-01903-0089	\$0.00	\$0.00	\$242.28	\$0.00	\$0.00	\$0.00	\$487.56	\$0.00	\$0.00	\$0.00	\$735.84
1812 WINDEMERE DR	N64-01903-0089	0.00	0.00	81.76	0.00	0.00	0.00	81.76	0.00	0.00	0.00	\$735.84
1821 WINDEMERE DR	N64-01903-0014	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
1821 WINDEMERE DR	N64-01903-0014	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00

CITY OF KETTERING, OHIO

AN ORDINANCE

By:

No.

TO AMEND THE TEXT OF VARIOUS SECTIONS
OF THE CITY OF KETTERING ZONING CODE

WHEREAS, on February 7, 2022, after giving the required notice, the City of Kettering Planning Commission conducted a public hearing regarding an application to amend the text of various sections of the Zoning Code in Planning Commission Case No. PC-22-001; and

WHEREAS, after the public hearing, the Kettering Planning Commission voted to recommend that City Council approve the proposed amendments; and

WHEREAS, on March 8, 2022, after giving the required notice, this City Council held a public hearing regarding the Kettering Planning Commission's recommendation;

NOW, THEREFORE, Be It Ordained by the Council of the City of Kettering, State of Ohio that:

Section 1. Having considered the application, the staff report(s) and recommendation of the Planning Commission, the criteria set forth in Sections 1153.12.9, Consistency, through 1153.12.15, Other Factors, of Chapter 1153 of the Zoning Code, and the testimony and evidence presented at the public hearing, City Council finds that the application to amend the Zoning Code should be approved. Therefore, the amendment(s) to the Zoning Code shown on Exhibit A, attached hereto and incorporated herein, are hereby approved.

Section 2. The Planning and Development Director of this City shall prepare a revised version of the Zoning Code to reflect and properly incorporate the amendment(s).

Section 3. As provided in Section 4-8 of the City Charter, this Ordinance shall be effective two weeks after adoption.

Passed by Council this _____ day of _____ 2022.

PEGGY LEHNER, Mayor

ATTEST:

CERTIFICATE OF APPROVAL:

LASHAUNAH D. KACZYNSKI,
Clerk of Council

THEODORE A. HAMER III,
Law Director

(Requested by: Planning and Development Department)

EXHIBIT A

(22 Total Pages Including This Page)

NOTE: In order to conserve space, only those portions of the Zoning Code to be amended are shown.

Key to Proposed City of Kettering Zoning Code Amendments:

1. Existing language appears in regular type. Example: text
2. Existing language to be deleted appears in strikethrough. Example: ~~text~~
3. New language to be added appears in underline. Example: text

1135.02.3 TABLE 35.2 - PERMITTED PRINCIPAL USES - CONTINUED

6. INDUSTRIAL	R-E(e)	R-E(p)	R-1	R-2	R-3	R-4	Office	Business	Business Park	Community Center	Institutional
Commercial Bakery*, Microbrewery								■	■	■	
Contractor's Office							■	■	■	■	
Contractor's Shop								■	■		
Contractor's Storage Yard*									■		
Electric Substation*	□	□	□	□	□	□	□	□	□	□	□
Energy Conversion, Geothermal									■		
Energy Conversion, Solar & Wind*									■		
Fabrication, Industrial Create*									■		
Laboratory or Specialized Facility*									■		
Manufacturing*									■		
Non-Retail Lumber & Dry Cleaning Plant*									■		
Printing, Publishing, Lithography & Binding							□	□	■		
Process Plant*									□		
Product Assembly*									■		
Public Service Yard*								□	□		
Research & Development*							□	□	■	□	□
Recycling Facility*									□		
Garage*									□		
Self & Mini Storage*								□	■		
Storage Yards, Building Materials*									■		
Storage Yards, Outdoor Merchandise*									■		
Vehicle Storage, Indoor*								■	■		
Vehicle Storage, Outdoor*									■		
Warehousing & Distribution*								□	■		
Wholesale Sales & Supply Houses*							□	□	■		

■ PERMITTED USE
 □ PERMITTED CONDITIONAL USE
 * ADDITIONAL STANDARDS APPLY - SEE CHAPTER 1137



parcel.

- E. Such structures shall match their Principal Structure in color; this includes, but is not limited to, siding material, trim work, doors, window frames, and roofing materials.
- F. Such structures shall match their Principal Structure's design. In order to accomplish this, carports shall match their Principal Structure with any two of the following features:
1. **Architectural Style:** this includes, but is not limited to, the overall proportions as well as the proportions of architectural details, roof pitch and overhang, window and door styles, trim features, and other architectural features;
 2. **Materials:** this includes, but is not limited to, siding, roofing, trim work, doors, and windows;
 3. **Visual character:** this includes, but is not limited to, dimensional sizes of brick or stone, siding and orientation of lap board and board and batten siding, and texture of materials chosen.

1139.03.8 FENCES, WALLS, HEDGES, PRIVACY SCREENS, ETC.

See Section 1147.08, Fences, Walls, Hedges, Privacy Screens

1139.03.9 Decks & Patios

Decks and Patios are permitted subject to the following conditions:

- A. Such structures when located closer than 8' to a lot line shall be screened by an evergreen hedge or fence (not attached to such structure) not less than 4' in height.
- B. Decks positioned higher than 36" in floor deck height above the adjoining grade shall not encroach into any required setback and shall adhere to the setbacks required for a principal structure.
- C. Such structures are permitted to occupy a side yard.
- D. Patios may occupy a front yard subject to the following conditions.
 1. Patios shall project no further than 8' into a required front yard.
 2. Patios shall be separated from any driveway or parking space by at least 3' and with a permanent physical barrier capable of preventing a vehicle from traversing over said barrier. Examples of a physical barrier include, but are not limited to knee walls and landscape boulders.
 3. Patios shall not be used for parking.

1139.03.10 Pools, Hot Tubs, Spas



Tip

Fences and Walls require a permit. Contact the Planning & Development Department to obtain an application.

Tip

Decks and Patios differ from porches. Porches are considered architectural features of the Principal Structure while decks and patios are considered accessory structures.

Information regarding porches can be found in Chapter 1149 Architecture.

Tip

Check with DPRL regarding additional restrictions regarding pool placement near power lines. Additional permits may be required (i.e., electrical), depending upon the pool's design.

- C. When determination of the number of parking spaces required by this Section results in a requirement of a fractional space, any fraction shall be counted as 1 parking space.
- D. Up to a 15% reduction from the minimum required number of spaces may be approved by the Zoning Administrator. Requests greater than 15% require justification in the form of a parking study commissioned and paid for by the applicant and requires Planning Commission approval. See also Section 1145.01, Parking Studies.
- E. Required parking spaces shall be accounted for with one, or a combination of, the parking type(s) established in Section 1145.03.4, Parking Types.
- F. Residential driveways may be utilized as parking spaces to fulfill the number of minimum spaces required for single and two-unit residential uses, for parking, however, residential driveways are not considered parking spaces. Section 1156.02, Definitions.
- G. Parking lot layout dimensions, as well as other relevant standards to general parking lot design may be found within Table 45.6 - Required Parking Lot Dimensions, Section 1145.15.4

1145.03.2 TABLE 45.1 - PARKING RATIOS

Use Group or Specific Use	Minimum Parking Spaces	Minimum Bicycle Spaces
Residential ⁽¹⁾	21 per single-unit dwelling unit	2 per multi-unit residential
	4.5 per multi-unit dwelling	minimum 0.5 per multi-unit
Lodging ⁽²⁾	0.8 per bedroom	dwelling/Not Applicable
Office ⁽³⁾	3 per 1,000 sf GFA	1 per 20 parking spaces
Commercial ⁽⁴⁾	4 per 1,000 sf GFA	1 per 10 parking spaces
Medical Office & Clinic	3.25 per 1,000 sf GFA	1 per 10 parking spaces
Restaurant ⁽⁵⁾	12 per 1,000 sf GFA	1 per 20 parking spaces
Civic	As approved by Zoning Administrator*	As approved by Zoning Administrator*
Industrial	As approved by Zoning Administrator*	As approved by Zoning Administrator*
Other	As approved by Zoning Administrator*	As approved by Zoning Administrator*

- Notes to Table 45.1:
- (1) Single Unit and Duplex dwellings shall be exempt from the minimum bicycle spaces requirement.
 - (2) 1 additional space is required per every 400 sf of restaurant or public meeting area.
 - (3) The minimum parking spaces required for the Office Use Group shall be reduced by 15% within NC pattern districts and 30% within TC pattern districts.
 - (4) The minimum parking spaces required for the Commercial Use Group shall be reduced by 25% within NC pattern districts and 40% within TC pattern districts.
 - (5) Carryout uses shall have a minimum of 3 spaces per 1,000 sf GFA.
- * Unless otherwise specified within the Zoning Code.



- dangerous circulation pattern.
2. The lot size or configuration cannot accommodate a reasonable rear yard parking lot.
 3. The building's function dictates the use of a Side Yard parking lot.
 4. The applicant can show that the standard will cause a practical difficulty in accordance with the standards found within Section 1153.13 B A.
- C. Off-street parking spaces shall be separated from any Right-of-Way or private street by a minimum 5' wide landscaped area. See also Chapter 1147.
- D. Dead-end parking is prohibited with the following exceptions:
1. Parking lots under 20 spaces shall be exempt.
 2. Parking lots with cross access awaiting future development on adjacent parcels shall be exempt.
 3. Dead-end parking that has a posted and designated turn-around space of a sufficient dimension to allow the execution of a 3 point turnaround shall be exempt.
- E. Dimensional requirements for Off-Street parking design are found within Title 45 S - Rules & Regulations, Section 1146.16.4.

1145.05.2 TABLE 45.3 - OFF-STREET PARKING LOCATIONS

This table assembles requirements regarding Off-street parking locations listed according to Development Pattern District. Exceptions or special circumstances to Table 45.3 are as follows:

- A. Non-residential Conditional Uses located within R-E(a), R-E(b), R-1, R-2, R-3 and R-4 districts, with the exception of Bed & Breakfast uses, shall be exempt.
- B. Residential uses are permitted to park within driveways regardless of yard location, however residential driveways are not considered parking spaces. Section 1159.02, Definitions.
- C. Residential uses consisting of 2 dwelling units or less are permitted to park within side and street side yards provided that the parking space(s) be setback a minimum of 3' from all lot lines and that a minimum 6' high continuous evergreen hedge or privacy fence is used to screen the parking space(s) from the adjoining properties.
- D. Residential uses consisting of 3 dwelling units or more are permitted to park within side and street side yards provided that the parking space(s) or area be setback and screened in accordance with the applicable landscape and buffer yard standards.
- E. Residential uses consisting of 2 dwelling units or less which have frontage upon an arterial, thoroughfare or collector street and upon such frontage no on-street parking is permitted may expand a driveway to allow for a front yard parking space subject to the following standards:
 1. The driveway is only expanded towards the nearest side lot line of the subject property and does not violate any dimensional requirement or setback, and

TIP

The Zoning Administrator or Planning Commission may allow for side yard parking after making the required findings, depending upon the type of application for approval.

However this does not allow the Zoning Administrator nor the applicant to extend the building toward the side yard unless it is already permitted within the site's Development Pattern District.

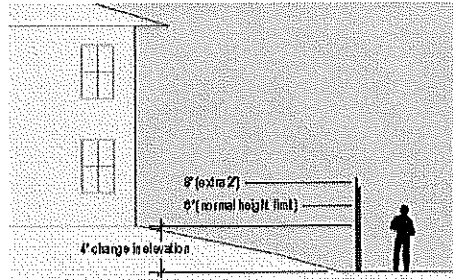
CHAPTER 1147
LANDSCAPING & BUFFERYARDS

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- C. Additional fence or wall height may be permitted as required by the Planning Commission as a condition for approval of a conditional use, or other such development approval requiring Planning Commission approval.

1147.084 Fence & Wall Height Exemption



1147.085 Fence & Wall Materials

A. General

1. Fences and walls shall be constructed of permanent material such as wood, stone, rock, concrete block, masonry brick, brick, decorative wrought iron, high-grade metal vinyl, or other materials that are similar in durability. No more than three such materials may be incorporated into a design. The design must be uniform along the entire length of such structures. However, different designs may adjoin one another as they transition from one yard area to another. For example, a wrought iron fence in a front and street side yard may adjoin a wooden privacy fence that surrounds the rear yard. Chain link and wire mesh fences are permitted within rear yards only. Chain link, rigid woven wire, and rigid wire mesh materials shall be factory coated with vinyl or a similar protective material of a dark color. Examples of dark colors include black, dark brown, and dark green.
2. All structural supports of any fence shall be erected with such supports on the inside of the area to be enclosed, except as permitted in the following case:
 - a. A fence that adjoins the side or rear lot line of another lot may be erected with such supports on the outside of the area to be enclosed if the adjoining property owners provide a signed and notarized letter attesting to their approval of this situation.

B. Prohibited Materials

The following materials shall not be used for any fence or wall:

1147.08.12 SETBACK FROM RIGHT-OF-WAY ENCROACHMENT

Fences and walls may encroach into the required 3' setback from the Right-of-Way subject to the following standards:

- A. The design, materials, and location of such a fence or wall shall be subject to the Zoning Administrator's approval.
- B. Such a fence or wall shall not obstruct free and clear vision of traffic or pedestrians and such fence or wall shall not interfere with the function of or obstruct the view of any authorized traffic sign, signal, or device.

1147.09 BERMS & BASINS**1147.09.1 BERMS**

Berms (also called mounds), when established as a required bufferyard treatment, shall be constructed according to the following standards:

- A. Berms shall have a slope not greater than the slope created in 3 horizontal feet with a 1-foot vertical rise.
- B. The surface of the berm that is not planted with trees and shrubs shall be covered with grass, perennial ground cover, or woody or herbaceous perennials, with mulch.
- C. Grass or other coverings shall be maintained in conformance with applicable City of Kettering codes.

1147.09.2 BASINS

A. The slope of a detention basin shall not contain trees or shrubs.

B. Detention basins, when established within a front yard, shall be constructed according to the maximum slopes as specified below.

1A. Basins shall have a slope not greater than the slope created in 5 horizontal feet with a 1-foot vertical rise when located within 10' of the public right-of-way.

2B. Basins shall have a slope not greater than the slope created in 4 horizontal feet with a 1-foot vertical rise when located within 20' of the public right-of-way.

3G. To provide variety in the aesthetic design of front yard detention basins, the Zoning Administrator may reduce the distance requirements of Items 1A and 2B, above.



1147.10 SCREENING OF SERVICE & STORAGE AREAS

Off-street loading spaces, loading docks, service bays, refuse and recycling areas, recycling containers, dumpsters and trash containers, outdoor storage areas, antennas, satellite dishes larger than 39" in diameter, and mechanical equipment including, but not limited to: air-conditioning compressor units, backflow devices, electric and gas meters, telecommunication boxes, and other essential services shall be screened from all public streets and from neighboring residential uses in accordance with the following standards:

- A. The screening shall be a minimum of 6' in height or one foot higher than the item or area to be screened, whichever is greater. If more than one type of item or area is grouped together, the height of the required screening shall be based on the tallest item to be screened.
- B. The screening shall be provided by a continuous planting, hedge, a maximum 6' high privacy screen fence or wall, berm, or a combination of these elements. The height of plants shall be based on reaching their size at maturity within five growing seasons.
- C. The screening of refuse and recycling areas, recycling containers, dumpsters and trash containers associated with non-residential permitted principal uses shall be constructed of a 6' high finished masonry wall similar in style and finish to that of the principal structure. Such enclosures or screening walls shall be constructed with separate gates for access by both vehicles and persons. Such gates shall be constructed of durable and long-lasting materials and shall provide a 100% opaque screen to shield its contents from view. The gate's structure, hardware and hinges shall be of a heavy-duty commercial-grade design and constructed of metal.
- D. Whenever screening material is placed around any trash disposal unit or waste collection unit a curb shall be provided at least one foot from the screening material and shall be designed to prevent possible damage to the screening when the container is moved or emptied.

F. Telecommunication boxes shall be painted or coated to conceal their presence given their location and visual context. The surface of such boxes shall be maintained in good condition and be kept free from graffiti, signage, advertisements, logos, or decals; any information may be displayed as required by federal, state, or local agency. Such boxes and their associated equipment, including any rods, shall be removed within 6 months upon ceasing to function or otherwise installed and the site shall be restored to prior conditions.

1147.10.1 EXEMPTIONS

- A. Single Unit and Duplex dwelling units shall be exempt from required screening for refuse and recycling areas, recycling containers, and dumpsters and trash containers.
- B. Loading docks and service bays located within TC and NC districts shall not be required to be screened.

1147.11 ACCEPTABLE LANDSCAPE MATERIALS

This Section specifies the minimum requirements for plant materials, fences and walls, and other

screening material considered acceptable to meet the requirements of this Chapter. Alternatives to these materials that can be demonstrated to meet both the intent and requirements of this ordinance may be approved by the Zoning Administrator. A list of specific approved species of plant materials and their characteristics is available on file with the Zoning Administrator.

1147.11.1 ACCEPTABLE PLANT MATERIALS

- A. No artificial plant materials shall be used to satisfy the requirements of this section.
- B. Plant materials required by this section shall comply with the minimum size requirements of Table 47.3 - Minimum Plant Material Specifications, Section 1147.11.2 at the time of installation. Plant height shall be measured from the average grade level of the immediate planting area to the top horizontal plane of the shrub at planting; for single-trunk trees, the measurement shall be taken at 6 inches above grade level; for multitrunk trees, the tree shall be measured from the average grade level of the immediate planting area.
- C. Planting areas shall consist of permeable surface areas only. These areas shall only consist of grasses, mulch, or groundcover plants. The permeable surface areas for shrubs may be included within permeable surface areas required for trees.
- D. In satisfying the requirements of this section, the use of 4 inches of organic mulch or other comparable natural material as approved by the Zoning Administrator, shall be provided at the time of planting.
- E. Each tree, or shrub shall be planted at least 36 inches from the edge of any paved surface.

1147.11.2 TABLE 47.3 - MINIMUM PLANT MATERIAL SPECIFICATIONS

This table assembles the specifications for acceptable plant materials used to satisfy the requirements of this Section:

Plant Feature	Minimum Caliper at the Time of Planting	Minimum Height at the Time of Planting	Minimum Mature Crown Spread & Height
Canopy Trees (Type D and E buffers/yards)	2" for single trunk trees	12' for multitrunk trees	60' Spread 60' Height
Group A Trees	2" for single trunk trees	12' for multitrunk trees	35' Spread 35' Height
Group B Trees	1-1/2" for single trunk trees	8' for multitrunk trees	20' Spread 20' Height
Group C Trees "Evergreen"	1-1/2" for single trunk trees	10' for multitrunk trees	15' Spread 25' Height
Large Shrubs	Not Applicable	30"	6' Spread 8' Height
Medium Shrubs	Not Applicable	24"	3' Spread 4' Height



1147.11.3 Plant Diversity

Diversity of plant species shall be provided in order to encourage a wide variety of plant species in the City of Kettering and to prevent the dominance of a small variety of plant materials, which can lead to the rapid spread of disease and pests, and contribute to a less resilient environment. The standards for plant diversity shall be as follows:

Number of Remaining Trees	Minimum Required Number of Tree Species	Minimum Percentage of Remaining Trees
0-5	1	100%
6-15	2	50%
16-50	3	42%
51-50	5	30%
61+	8	20%

1147.12 INSTALLATION & MAINTENANCE

1147.12.1 MAINTENANCE

Required plants shall be maintained in a healthy condition at all times. The property owner shall provide weeding, mowing of grass, irrigation, fertilization, prevention of pests, pruning, and other maintenance of all plantings as needed. Any plant that dies, deteriorates, or is maintained in such a manner that they fail to fulfil the requirements in this Chapter shall be replaced with another living plant that is comparable to the existing plant materials or plant materials specified in the approved landscape plan within 30 days after notification is given by the City of Kettering. The Zoning Administrator may extend this time period up to an additional 90 days due to weather considerations. If the plants have not been replaced after appropriate notification and/or extension, the property owner, or his/her designee or lessee, shall be in violation of this chapter.

If the screening or landscape material is not replaced within the specified time period, then the City of Kettering may replace such material and assess the cost to the property owner.

1147.12.2 LANDSCAPE & BUFFERYARD PLAN

Applications subject to this Chapter shall include a landscape plan prepared as required upon the application. The landscape plan shall be approved as part of the overall application for approval. Residential dwelling units consisting of 4 units or less are exempt from this requirement.

1147.12.3 UTILITIES

Any damage to utility lines resulting from the negligence of the property owner or his/her agents or employees in the installation and maintenance of required landscaping in a utility easement is the responsibility of the property owner. If a public utility disturbs plants within a utility easement, it shall preserve the plants and return them to their prior locations after the utility work. The property owner shall replace all required plants that die.



Pedestrian Protection is required when both of the following conditions exist:

1. Pedestrian Protection is required per Table 49.1 - *Residential, Commercial, Elementary & Flower* by District or Planned District, Section 1149.02.2; and
2. The Principal Facade on which the Pedestrian Protection is required adjoins or is within 2' of a parallel pedestrian walkway.

C. Minimum Requirements

When required along a Principal Facade, the elements utilized in fulfillment of this Section shall extend along a minimum of 75% of the length of such Principal Facade. Pedestrian Protection shall be achieved through the use of Arcades, Awnings, Canopies, Marquees, Balconies, or other such elements that achieve an equal amount of pedestrian protection as approved by the Zoning Administrator.

See also Section 1149.03.15, *Projections* for these elements' allowable projection distances into required yards or into the public right-of-way.

D. Arcades

When utilized to satisfy the requirements of this Chapter, arcades shall be subject to the following standards:

1. Arcades shall be a minimum of 6' in depth (to accommodate the pedestrian walkway), 8' in length, and shall maintain at least 8' of vertical clearance.
2. Arcades shall maintain a maximum of 16' of vertical clearance.

E. Awnings, Canopies, Marquees, etc.

When utilized to satisfy the requirements of this Chapter, awnings, canopies, marquees, or other similar architectural elements when located along a ground floor elevation shall be subject to the following standards:

1. Such elements shall maintain a minimum of 8' of vertical clearance and a maximum of 14' of vertical clearance.
2. Such elements shall offer protection from rain, snow, wind, and sun at a minimum depth of 4' in front of a Principal Facade.
3. Such elements shall not conceal or interrupt important architectural elements such as expression lines, columns, pilasters, piers, bulkheads, or quoins.
4. Such elements shall reflect the overall facade organization of a building and shall be located within the building elements that frame storefronts.
5. Such elements, on a multiple-storefront building, shall be consistent in character, scale, and location, but need not be identical.

F. Balconies

Where balconies or balconettes are utilized to satisfy the requirements of this Chapter, the following standards shall apply:

1. Such elements shall maintain a minimum of 9' of vertical clearance and a maximum of 14' of vertical clearance.
2. Such elements shall offer protection from rain, snow, wind, and sun at a minimum depth of 4' away from the front of a Principal Facade.
3. Such elements may have roofs, but must be open, unconditioned parts of the structure.
4. On building corners, such elements may wrap around the side of the building.

1149.03.16 PROJECTIONS

A. General

Certain architectural elements are allowed to encroach forward of setbacks, extend into required yards, or extend into the public right-of-way. Those elements are considered projections. [Table 49.3 - Projections - Residential](#), [Section 1149.03.16.C](#) assembles regulations regarding projections for residential usage and [Table 49.4 - Projections - Non-Residential](#), [Section 1149.03.16.D](#) assembles regulations regarding projections for non-residential usage.

Regulations regarding specific projections appear within this Chapter.

Projections listed within [Table 49.3 - Projections - Residential](#), [Section 1149.03.16.C](#) shall encroach no closer than 3 feet to any interior side lot line, 10 feet to any front or rear lot line, and 6 feet to any street side lot line.

Projections listed within [Table 49.4 - Projections - Non-Residential](#), [Section 1149.03.16.D](#) shall encroach no closer than the required minimum setback when the required yard adjoins a residential use with the exception of residential uses within HC and TC pattern districts.

B. Measurement

All projection distances are measured horizontally, perpendicular from the facade to the out-most portion of the projection. See [Figure 49.17 - Measurement of Projections](#), [Section 1149.03.16.D.1](#).



1151.04.5 TABLE 51.2 - Ground Sign Requirements - Number, Area and Height

District or Location of Sign	Number of Ground Signs Permitted	Maximum Sign Area Permitted	Maximum Sign Height Permitted
R-E(a), R-E(b), R-1, R-2	NA	NA	NA
R-3, R-4	1 per lot, minimum lot size of 1 acre	6 sq ft	4 ft.
Civic Conditional Uses in R districts, Care Facilities ≥ 3 acres	1 per street frontage	1/4 sq ft per linear foot of street frontage, not to exceed 24 sq ft.	6 ft.
Residential and Lodging Conditional Uses in R districts	1 per lot	2 sq ft for Residential Uses 6 sq ft for Lodging Uses	3 ft for Residential Uses 4 ft for Lodging Uses
Office	1 per lot	1/4 sq ft per linear foot of street frontage, not to exceed 24 sq ft.	6 ft.
Business	1 per lot	1/4 sq ft per linear foot of street frontage, not to exceed 35 sq ft.	6 ft.
Business, Multi-Tenant Sites over 5 acres or with more than 600' of street frontage on any one street.	1 per street frontage	1/8 sq ft per linear foot of street frontage, one sign not to exceed 100 sq ft., any additional signs not to exceed 24 sq ft.	One sign not to exceed 15 ft., any additional signs not to exceed 6 ft.
Business, Multi-Tenant Sites Under 5 acres or with less than 600' of street frontage on any one street.	1 per lot	1/4 sq ft per linear foot of street frontage, not to exceed 50 sq ft.	6 ft.
Business Park	1 per lot	1/4 sq ft per linear foot of street frontage, not to exceed 50 sq ft.	6 ft.
Community Center	1 per lot	1/4 sq ft per linear foot of street frontage, not to exceed 24 sq ft.	6 ft.
Institutional	1 per street frontage	1/4 sq ft per linear foot of street frontage, not to exceed 24 sq ft.	6 ft.
Non-Residential Campus or Site of 30 acres or more and having at least 200,000 square feet of non-residential GFA		See Section 1151.04.13, Campus and Large Site Signage	

Table Codes:
NA = Not Applicable



1151.04.10.K TABLE 51.4 - TEMPORARY SIGN REQUIREMENTS

Temporary Sign Type	Maximum Sign Area Permitted	Maximum Sign Height Permitted	Minimum Setback from Rights-of-Way	Number Permitted and Duration
Ground, Wall, Poles, and Window Signs in R districts	12 sq ft total for all Ground Signs combined	4 ft for Ground Signs	3 ft for Ground Signs	No limitation on the total number of signs, provided that such signs are in compliance with the maximum sign area requirements within this Table. Such signs may be displayed for no longer than 30 consecutive days.
	No single Ground Sign shall be greater than 6 sq ft in area.			
	8 sq ft for all Window Signs combined subject to 1151.04.B.B.	See 1151.04.B.C for Window Signs	10 ft for Window Signs	
	16 sq ft for all Wall Banner Signs combined	See 1151.04.10.J for location restrictions		
Ground, Window and Wall Banner Signs in Non-Residential districts	12 sq ft for Ground Signs	6 ft for Ground Signs	15 ft for Ground Signs	1 sign per street frontage. For such temporary signs a permit sticker shall be obtained from the Zoning Administrator identifying dates the sign is permitted to be displayed. Such signs may be displayed for no longer than 30 consecutive days. Permit stickers must be attached to the sign when the sign is installed. A separate permit is required for each sticker grazed. No more than 4 stickers may be issued to any single tenant in the same calendar year. Single Tenant Building - 1 sign per street frontage Multi-Tenant Building - 1 sign per building unit, not to exceed 3 such signs on the property at one time
	25 sq ft for Window Signs subject to 1151.04.B.A and B	See 1151.04.B.C for Window Signs	NA for Window Signs	
	32 sq ft for Wall Banner Signs	Wall Banners must be at least 2 ft below the top of the wall to which they are attached and must be at least 2 ft from the edge of the wall to which they are attached.	NA for Wall Banners	
<p>Table Codes: NA = Not Applicable</p>				



1151.04.14 TABLE 51.5 - CAMPUS AND LARGE SITE SIGNS

Sign Type and Location of Sign	Conditions for Additional Signs	Number of Signs Permitted	Maximum Sign Area Permitted	Required Display Height	Required Design
Building Signs	No Conditions	No Maximum	25 sq ft per linear foot of building frontage. No single sign to exceed 25% of the total allowable sign area.	NA	Such signs shall be completed of individual letters mounted to sign boards.
An additional Building Sign is permitted provided condition can be satisfied	Building is greater than 4 stories and 30,000 sq ft of gross floor area	1 per Campus or Large Site	Maximum sign height of 10'. Maximum length shall not exceed 30% of the building frontage on which the sign will be located.	NA	Such signs shall be completed of individual letters mounted to the building.
Ground Signs					
Primary Access Drive	NA	Maximum of 3 signs. A single sign on each side of the access and a maximum third sign is permitted provided it is located within a landscaped median within the access drive.	1 sign not to exceed 100 sq ft or others not to exceed 60 sq ft.	1 sign not to exceed 8 ft in height, all others not to exceed 6 ft in height.	All ground signs shall match materials and design of principal structure.
Minor Access Drive	NA	1 per minor access	Not to exceed 50 sq ft.	8 ft maximum height	
Minor Access Drive	NA	1 per minor access	Not to exceed 24 sq ft.	6 ft maximum height	
Ground Sign	NA	1 per lot	Not to exceed 33 sq ft.	8 ft maximum height	
An additional Ground Sign is permitted provided condition can be satisfied	Located within 50 ft of the intersection of a thoroughfare, side, or collector street with any other thoroughfare, arterial or collector street.	1 per Campus or Large Site	Not to exceed 10 sq ft.	8 ft maximum height	Sign must be placed 100% on architectural features such as a tree low wall, sculpture, sculpture, public art or fountain.

Table Codes:
NA = Not Applicable



- B. Interfere with the function of or obstruct the view of any authorized traffic sign, signal, or device.
- C. No signs shall be permitted or allowed in any public right of way, except as may be erected by municipal or state government.

1151.07.6 Unsafe Signs

- A. No sign or other advertising structure shall constitute a hazard to safety or health by reason of inadequate or inappropriate design, construction, repair, or maintenance.
- B. No signs shall be located nearer than 8 feet vertically, or 4 feet horizontally from any overhead electric wires or conductors or public utility guy wires.

1151.07.7 Prohibited Locations

Unless specified elsewhere in this Zoning Code, the following prohibitions exist on the location of permitted signs.

- A. No sign shall be mounted on the roof of a building or which is mounted to and wholly dependent upon a building for support and that projects above the parapet of a building with a flat roof, the eave line of a building with a gambrel, gable, or hip roof or the deck line of a building with a mansard roof.
- B. No sign shall project above a parapet wall.
- C. No sign shall be placed or project above the angle slope of a mansard roof or eave line.
- D. Other than traffic control signs, no sign shall be attached to or supported by a tree, bus shelter, utility pole, bench, trash receptacle, or newspaper vending machine.

1151.07.8 Illuminated Signs

- A. No sign or other advertising structure shall be illuminated or emit light so as to cause objectionable brightness or glare into or onto any residential premises or any public right-of-way.
- B. Light sources shall not be of such brightness as to constitute a hazard to pedestrians or motorists and shall be shielded so as not to cast an illumination of more than 1 foot candles on contiguous properties and not more than 0.1 foot candles on residential properties.
- C. No colored lights shall be used in a location or manner as to be confused with traffic control devices or vehicular traffic.
- D. The light source for all freestanding and wall mounted signs for conditional uses located within R-districts shall be automatically turned off from 10:00 p.m. each evening until 7:00 a.m. the following day. Exception: Hospitals, Governmental Uses, and other Emergency Service Providers shall be exempt.

1153.11 AMENDMENTS TO CONDITIONAL USE APPROVALS

Amendments to an approved Conditional Use shall be submitted and reviewed in accordance with their respective sections in regards to applicability, preapplication, making application, and completeness. However, once an application is deemed complete, the following procedures shall be in effect.

- A. The Zoning Administrator shall determine if the proposed amendment includes a major change, a minor change, or no significant changes as defined in 1153.11.B.
1. If the Zoning Administrator determines that the proposed amendment includes no significant changes and is consistent with the original approval, the Zoning Administrator may approve the amendment subject to the approval criteria found in 1153.08.8 Approval Criteria.
 2. If the Zoning Administrator determines that the proposed amendment includes a minor change, the Zoning Administrator shall forward the application to the Planning Commission.
 - a. The Planning Commission may approve the amendment at a regular meeting with no public hearing required. Such amendments shall be subject to the approval criteria found in 1153.08.8 Approval Criteria and the standards for conditions of approval found in 1153.08.7 Conditions.
 3. If the Zoning Administrator determines that the proposed amendment includes a major change, the Zoning Administrator shall forward the application to the Planning Commission.
 - a. The Planning Commission, upon proper notice, shall hold at least one public hearing on the application. Such amendments shall be subject to the approval criteria found in 1153.08.8 Approval Criteria and the standards for conditions of approval found in 1153.08.7 Conditions.
- B. Changes to an approved Conditional Use are defined as follows:
1. Major changes shall be defined as any of the following:
 - a. Greater than 10% increase in the total impervious surface area or floor area as previously approved for the entire development;
 - b. An increase in the number of approved residential units;
 - c. Changes in the perimeter boundaries of the land included in the total proposed development that require subdivision approval;
 - d. A change greater than 10% in the amount of land in the total proposed development designated for a specific use of the land;
 - e. Changes that reduce the distance between any internal paved surface or building and adjacent residential zoned land by more than 25%;

CHAPTER 1169
RULES OF INTERPRETATION & DEFINITIONS

	Membership Club, Association		Place of Worship
	Microbrewery		Political Subdivision
	Mortuary		Pool Barrier
	Motel		Porch
	Movie Theatre		Portable Blow-Up Wading or Kiddie Pools
	Movie Theatre, Drive-in		Printing, Publishing, Lithography, & Binding
	Mulching		Process Manufacturing
	Museum		Process Plant
N	Natural Area		Product Assembly
	New Housing Development		Professional Service
	Nighttime		Projection
	Nonconformity		Public Service Yard
	Nonconforming Lot		Public Transit Station
	Nonconforming Sign		Pump Station
	Nonconforming Site	R	Receiving Property
	Nonconforming Structure		Recreational Vehicle
	Nonconforming Use		Recycling Facility
	Non-Retail Laundries & Dry Cleaning Plants		Research & Development
	Noise		Residential Collector
	Noise Source Property		Residential Communications Equipment
	Nude, Nudity, or a State of Nudity		Residential Street
	Nurse Gross		Restaurant
O	Office		Cafeteria, Buffet, Dining Room
	Open Space		Fast-Food Restaurant
	Ornamental Pond		Drive-in Restaurant
P	Parcel		Tasting Rooms
	Park		Restrictive Deed Covenant
	Parking		Retaining Wall
	Aisle		Request
	Covered Parking		Right-Of-Way
	Dead-End Parking	S	Salvage
	Island		Satellite Earth Station Antenna
	Off-Site Parking		Self & Mini Storage
	Off-Street Parking		Semi-Nude or Semi-Nudity
	On-Street Parking		Sense of Place
	Parking Lot		Setback
	Parking Lot Area		Sewer, Liquid, & Solid Waste Facility
	Parking Space		Sexual Encounter Establishment
	Parking Structure		Sexually Oriented Business
	Peristyle		Shed, Storage Structure
	Shared Parking		Shrub
	Slip-Street Parking		Sightline
	Passenger Vehicle		Sign
	Patio		Site
	Pawn Shop		Slip Street
	Pedestrian		Small Animal
	Performance Theatre		Social Services
	Person		Sound Level (Noise Level)
	Personal Service		Sound Level Meter (SLM)

TOC

7

DEVELOPER

Any person or entity who commences proceedings under this ordinance to bring about development or redevelopment on land.

DEVELOPMENT

Development is the improvement, alteration, or subdivision of land for uses authorized under this Zoning Code.

DIAMETER AT BREAST HEIGHT

The outside bark diameter of 4.5 feet above grade as measured on the uphill side of the tree.

DISABILITY

A medical, physical, or mental condition that limits a major life activity.

DRIVE-THRU STORES

An establishment designed or operated to serve or dispense products to customers who remain seated in a passenger vehicle rather than receiving products and services within a building. Such establishments may be in conjunction with, or exclusive of, any other form of service.

DREVENWAY

A roadway, not dedicated to public ownership, to provide access for vehicles to parking, a garage, a dwelling, or other structure.

DWELLING

A structure or portion of a structure that is used exclusively for human habitation.

DWELLING UNIT

One or more rooms, designed, occupied, or intended for permanent occupancy as a separate living quarter, with cooking, sleeping, and sanitary facilities provided within the unit for the exclusive use of the occupants. Dwelling Units shall not include short term rental units, tents, cabins, trailers, coaches, or anything not permanently attached to the ground with a permanent foundation.

SINGLE UNIT DETACHED

A building containing one dwelling unit and that is not attached to any other dwelling by any means and is surrounded by open space or yards. A dwelling unit of this type does not have any roof, wall, or floor in common with any other dwelling unit.

SINGLE UNIT ATTACHED

A single dwelling unit attached to another single dwelling unit in which each unit has its own front and rear access to the outside, no unit is located over another unit, and each unit is separated from any other unit by one or more vertical common fire-resistant walls with each dwelling unit located on a separate lot.

TWO UNIT ATTACHED

A building on a single lot containing two dwelling units totally separated from each other by an unperforated wall extending from ground to roof or an unperforated ceiling and floor extending from exterior wall to exterior wall, except for a common stairwell exterior to both dwelling units. See DUPLEX.

DUPLEX

A building on a single lot containing two dwelling units totally separated from each other by an



USE.

ESCORT

A person who, for any form of consideration, and for another person, agrees or offers: (1) to privately model in a state of "nudity" or "semi-nudity"; or (2) to privately perform a striptease.

ESCORT AGENCY

A person or business association that for any form of consideration furnishes, offers to furnish, or advertises to furnish, escorts.

ESSENTIAL SERVICES

The equipment, structures and activities necessary to furnish an adequate level of public service for the provision of police, fire, and emergency services; the distribution of electricity, gas, and steam; and, the distribution and collection of water and sewerage.

ESTABLISHMENT

The place where a business or Use is carried on.

EVERGREEN

Having living foliage that persists and remains green throughout the year. Cactus plants are not included within this definition.

EQUIPMENT RENTAL SALES AND SERVICES

Establishments primarily engaged in the sale or rental of tools, trucks, tractors, construction equipment, agricultural implements, and similar industrial equipment. Included in this use is the servicing of such equipment.

FACADE

The external portion of a building or structure as viewed from a specific vantage point. Examples of specific vantage points include, but are not limited to, north, south, east, west, or front, side, or rear.

FACADE, PRINCIPAL

Except as otherwise specified within this Zoning Code, A Principal Facade is any Facade that is located less than 600' from an adjoining Right of Way and is:

- 1) Facing an adjacent public or private street, excluding alleys; or
- 2) That provides a public entrance to a structure located within the TC, NC, or SC development pattern districts

FACADE, SECONDARY

Any Facade that is not a principal facade.

FALL ZONE

The area on the ground within a prescribed radius from the base of a tower within which there is a potential hazard from falling debris (such as ice) or collapsing material. The radius of a fall zone for any tower shall be equal to 1.1 times the total height of the tower and any appurtenances.

FENCE

A structure serving as an enclosure, a barrier, a boundary, or a screen, usually constructed of



Island

A rectangular landscaped area surrounded by parking lot, and separated from all other landscaped areas by at least one parking space or aisle.

Off-site Parking

Off-street parking not located on the same lot as the principal use(s) that it serves.

Off-street Parking

A parking lot located entirely upon the same lot of principal use(s) that it serves.

On-street Parking

Legal parking spaces located within the right-of-way.

Parking Lot

An area other than a street or public right-of-way used for parking and available whether for a fee, free, or as an accommodation for clients, customers, employees, and/or residents.

Parking Lot Area

The surface area of a Parking Lot. This includes parking spaces, aisles, access drives, loading areas, and vehicle storage areas.

Parking Space

A designated, delineated, and permanently surfaced area for the temporary parking of a vehicle.

Parking Structure

A structure designed to accommodate vehicle parking spaces that are fully or partially enclosed or located on the deck surface of a building. This definition includes parking garages, deck parking, and underground or under-building parking.

Peninsula

A rectangular shaped peninsula landscaped area projecting into a parking lot and is surrounded by parking lot on at least three sides and a majority of its border, and is separated from all other landscaped areas by at least one parking space or aisle.

Shared Parking

Joint use parking for more than one use.

Slip-Street Parking

Angled and/or parallel parking spaces that are served by a single aisle that adjoins and is parallel to the street upon which the lot has frontage. Such aisle may serve multiple properties.

Passenger Vehicle

Any motor vehicle designed and used for carrying not more than 9 persons.

Path

An outdoor, unenclosed, and uncovered level, landscaped, and/or surfaced area, usually made of concrete, brick, or other masonry material that is 0' or within 6" of the finished grade and not covered by a permanent roof and intended for recreational use.

CITY OF KETTERING, OHIO

A RESOLUTION

By:

No.

**AUTHORIZING ACCEPTANCE OF A DONATION
FROM DOR-WOOD OPTIMIST CLUB FOR THE
RADKIDS CHILDREN'S SAFETY PROGRAM**

BE IT RESOLVED by the Council of the City of Kettering, Ohio that:

Section 1. The City Manager, on behalf of the City, is hereby authorized to accept a \$500.00 donation from Dor-Wood Optimist Club of Kettering, Ohio. The donation will be used by the Kettering Police Department for the radKIDS children's safety program equipment, participation, and other related expenses.

Section 2. As provided in Section 4-8 of the City Charter, this Resolution shall take full force and effect immediately upon its adoption.

Passed by Council this _____ day of _____ 2022.

PEGGY LEHNER, Mayor

ATTEST:

CERTIFICATE OF APPROVAL

LASHAUNAH D. KACZYNSKI,
Clerk of Council

THEODORE A. HAMER III,
Law Director

Estimated Cost: \$500.00
Funds Available: \$0
Acct. No.: 0600-72220

(Requested by: Police Department)

CITY OF KETTERING, OHIO

A RESOLUTION

By:

No.

**AUTHORIZING THE USE OF COMPETITIVE BARGAINING AND
NEGOTIATED QUOTES OR A COOPERATIVE PURCHASING
PROGRAM TO PURCHASE TWO ACCESSIBLE VANS FOR THE
LATHREM SENIOR CENTER TRANSPORTATION PROGRAM**

Be It Resolved by the Council of the City of Kettering, State of Ohio, that:

Section 1. On the basis that the City can often obtain lower prices and more favorable purchasing conditions through competitive bargaining and negotiated quotations than through sealed bids, the City Manager, on behalf of the City, is hereby authorized to use such bargaining and negotiation procedures and to enter into one or more contracts to purchase two accessible vans for the Lathrem Senior Center transportation program. The City Manager is further authorized to sign any amendments or extensions thereto that the City Manager deems appropriate.

Section 2. As an alternative, the City Manager, on behalf of the City, is authorized to purchase two accessible vans through an approved local, state, or national cooperative purchasing program.

Section 3. As provided in Section 4-8 of the City Charter, this resolution takes effect immediately upon its adoption.

Passed by Council this _____ day of _____ 2022.

PEGGY LEHNER, Mayor

ATTEST:

CERTIFICATE OF APPROVAL

LASHAUNAH D. KACZYNSKI,
Clerk of Council

THEODORE A. HAMER, III
Law Director

Estimated Cost: \$86,000.00
Amount Budgeted: \$86,000.00
Acct. No. 2244-77740

(Requested by: Parks, Recreation and Cultural Arts Department)

CITY OF KETTERING, OHIO

A RESOLUTION

By:

No.

**AUTHORIZING THE CITY MANAGER TO APPLY FOR A
GRANT FROM THE OHIO DEPARTMENT OF NATURAL
RESOURCES**

WHEREAS, the City of Kettering is eligible to apply for a Grant from The Ohio Department of Natural Resources Recreational Trails Program; and

WHEREAS, matching funds from the City are not required under this Grant; and

WHEREAS, if awarded, the grant funds will be used to assist with the renovation and construction of accessible path and trail improvements at Pondview Park;

NOW, THEREFORE, Be It Resolved by the Council of the City of Kettering, State of Ohio, that:

Section 1. The City Manager, on behalf of the City, is hereby authorized to take all necessary and proper action to apply for the above-described Grant from the Ohio Department of Natural Resources.

Section 2. As provided in Section 4-8 of the City Charter, this Resolution takes effect immediately upon its adoption.

Passed by Council this _____ day of _____ 2022.

PEGGY LEHNER, Mayor

ATTEST:

CERTIFICATE OF APPROVAL

LASHAUNAH D. KACZYNSKI,
Clerk of Council

THEODORE A. HAMER III,
Law Director

Estimated Cost: \$150,000.00

Amount Budgeted: N/A

Acct. No.: N/A

(Requested by: Parks, Recreation and Cultural Arts Department)

CITY OF KETTERING, OHIO

A RESOLUTION

By:

No.

AUTHORIZING THE CITY MANAGER TO ACCEPT AND ADMINISTER A GRANT FROM THE KETTERING PARKS FOUNDATION FOR THE PARKS, RECREATION AND CULTURAL ARTS DEPARTMENT'S FINANCIAL ASSISTANCE PROGRAM

WHEREAS, the City applied for a grant from the Kettering Parks Foundation to be used for the Parks, Recreation and Cultural Arts Department's Financial Assistance Program which provides financial assistance to low-income Kettering residents to make PRCA classes, passes or camps more affordable; and

WHEREAS, the City's grant applications were approved;

NOW THEREFORE, Be it resolved by the Council of the City of Kettering, State of Ohio, that:

Section 1. The City Manager, on behalf of the City, is hereby authorized to take all necessary and proper action to accept and administer the above-described grant from the Kettering Parks Foundation, including, without limitation, to sign any agreements or instruments necessary to accept the grant. The City Manager is further authorized to sign any amendments or extensions thereto that the City Manager deems appropriate. Furthermore, this Council hereby ratifies all matters and statements included in the grant applications.

Section 2. As provided in Section 4-8 of the City Charter, this Resolution shall take full force and effect immediately upon its adoption.

Passed by Council this _____ day of _____ 2022.

PEGGY LEHNER, Mayor

ATTEST:

CERTIFICATE OF APPROVAL

LASHAUNAH D. KACZYNSKI,
Clerk of Council

THEODORE A. HAMER, III,
Law Director

Estimated Cost: \$9,500.00
Amount Budgeted: \$0
Acct. No.: Special Grants & Programs

(Requested by: Parks, Recreation and Cultural Arts Department)

CITY OF KETTERING, OHIO

A RESOLUTION

By:

No.

**AMENDING RESOLUTION NO. 10703-22 REGARDING THE
FORRER BOULEVARD IMPROVEMENTS PROJECT-
(SMITHVILLE ROAD TO WOODMAN DRIVE), CITY PROJECT
NO. 02-140F**

WHEREAS, Resolution No. 10703-22 authorized the City Manager to advertise for bids and contract for the Forrer Boulevard Improvements Project – (Smithville Road to Woodman Drive), City Project No. 02-140F; and

WHEREAS, the original estimated cost was \$1,975,000; and

WHEREAS, the low bid for the Project is \$2,473,155.67 (an additional \$498,155.67 over the estimated cost); and

WHEREAS, rebidding this project is unlikely to produce a lower bid but will result in delay of needed repairs;

NOW, THEREFORE, Be It Resolved by the Council of the City of Kettering, State of Ohio, that:

Section 1. Resolution No. 10703-22 is amended to authorize an expenditure of funds in the amount of \$2,473,155.67.

Section 2. In all other respects, Resolution No. 10703-22 shall remain in full force and effect.

Section 3. As provided in Section 4-8 of the City Charter, this Resolution takes effect immediately upon its adoption.

Passed by Council this _____ day of _____ 2022.

PEGGY LEHNER, Mayor

ATTEST:

CERTIFICATE OF APPROVAL

LASHAUNAH D. KACZYNSKI,
Clerk of Council

THEODORE A. HAMER, III,
Law Director

Estimated Cost: \$2,473,155.67
Amount Budgeted: \$1,975,000.00
Acct. No.: 5263-77750

(Requested by: Engineering Department)

CITY OF KETTERING, OHIO

A RESOLUTION

By:

No.

**AMENDING RESOLUTION NO. 10678-22 REGARDING THE
WEST STROOP ROAD AND SOUTHERN BOULEVARD
TRAFFIC SIGNAL REPLACEMENT PROJECT, CITY PROJECT
NO. 02-112J**

WHEREAS, Resolution No. 10678-22 authorized the City Manager to advertise for bids and contract for the West Stroop Road and Southern Boulevard Traffic Signal Replacement Project, City Project No. 02-112J; and

WHEREAS, the original estimated cost was \$200,000.00; and

WHEREAS, the low bid for the Project is \$341,643.79 (an additional \$141,643.79 over the estimated cost); and

WHEREAS, rebidding this project is unlikely to produce a lower bid but will result in delay of the project;

NOW, THEREFORE, Be It Resolved by the Council of the City of Kettering, State of Ohio, that:

Section 1. Resolution No. 10678-22 is amended to authorize an expenditure of funds in the amount of \$341,643.79.

Section 2. In all other respects, Resolution No. 10678-22 shall remain in full force and effect.

Section 3. As provided in Section 4-8 of the City Charter, this Resolution takes effect immediately upon its adoption.

Passed by Council this _____ day of _____ 2022.

PEGGY LEHNER, Mayor

ATTEST:

CERTIFICATE OF APPROVAL

LASHAUNAH D. KACZYNSKI,
Clerk of Council

THEODORE A. HAMER, III,
Law Director

Estimated Cost: \$341,643.79
Amount Budgeted: \$200,000.00
Acct. No.: 5100-77750

(Requested by: Engineering Department)

CITY OF KETTERING, OHIO

A RESOLUTION

By:

No.

**DIRECTING THE CITY ENGINEER TO PREPARE AND FILE
RENEWED, RECALCULATED, AMENDED, AND/OR
CONSOLIDATED ASSESSMENTS FOR STREET LIGHTING**

Be It Resolved by the Council of the City of Kettering, State of Ohio, that:

Section 1. The City Engineer is hereby directed to prepare and file in the office of the Clerk of Council renewed, recalculated, amended, and/or consolidated assessments for street lighting.

Section 2. The Clerk of Council shall arrange for publication in a newspaper of general circulation within the municipality, for two (2) consecutive weeks, a notice that the renewed, recalculated, amended, and/or consolidated street lighting assessments are on file and available for public inspection pursuant to Chapter 947 of the Codified Ordinances of the City of Kettering.

Section 3. As provided by Section 4-8 of the City Charter, this Resolution takes effect immediately upon its adoption.

Passed by Council this _____ day of _____ 2022.

PEGGY LEHNER, Mayor

ATTEST:

CERTIFICATE OF APPROVAL

LASHAUNAH D. KACZYNSKI,
Clerk of Council

THEODORE A. HAMER III,
Law Director

(Requested by: Engineering Department)

CITY OF KETTERING, OHIO

A RESOLUTION

By:

No.

AUTHORIZING THE CITY MANAGER TO ENTER INTO AGREEMENTS WITH THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) TO ALLOW THE CITY OF KETTERING TO SERVE AS RESPONSIBLE LEAD AGENCY FOR ADMINISTRATION OF THE WEST AVENUE BRIDGE PROJECT – (CITY PROJECT NO. 03-948; ODOT PROJECT MOT-WEST AVENUE BRIDGE, PID 116012)

WHEREAS, Section 5501.03(D) of the Ohio Revised Code provides that the Director of the Ohio Department of Transportation (ODOT) may coordinate the activities of the Department with other appropriate public authorities and enter into contracts with such authorities as necessary to carry out its duties, powers and functions; and

WHEREAS, the following listed project is a transportation activity eligible to receive federal/state funding:

- a. West Avenue Bridge Project - (City Project No. 03-948; ODOT Project MOT-West Avenue Bridge, PID 116012);

WHEREAS, the City of Kettering has received funding approval for the project listed above from the program manager having responsibility for the federal/state funds involved; and

WHEREAS, it is the mutual desire of ODOT and the City of Kettering to have the City of Kettering serve as the responsible lead agency for administration of the project;

NOW, THEREFORE, Be It Resolved by the Council of the City of Kettering, State of Ohio, that:

Section 1. This Council hereby authorizes the City Manager, on behalf of the City, to enter into one or more agreements with ODOT to allow the City of Kettering to serve as the responsible lead agency for administration of the West Avenue Bridge Project (City Project No. 03-948; ODOT Project MOT- West Avenue Bridge, PID 116012). The City Manager is further authorized to sign any amendments or extensions thereto that the City Manager deems appropriate.

Section 2. As provided in Section 4-8 of the City Charter, this Resolution takes effect immediately upon its adoption.

Passed by Council this _____ day of _____, 2022.

PEGGY LEHNER, Mayor

ATTEST:

CERTIFICATE OF APPROVAL

LASHAUNAH D. KACZYNSKI,
Clerk of Council

THEODORE A. HAMER III,
Law Director

(Requested by: Engineering Department)

CITY OF KETTERING, OHIO

A RESOLUTION

By:

No.

**AUTHORIZING THE CITY MANAGER TO USE COMPETITIVE
BARGAINING AND NEGOTIATED QUOTES TO CONTRACT
FOR THE REPLACEMENT OF TWO ORIGINAL BOILERS
WITHIN THE KETTERING RECREATION COMPLEX**

Be It Resolved by the Council of the City of Kettering, State of Ohio, that:

Section 1. On the basis that the City can often obtain lower prices and more favorable purchasing conditions through competitive bargaining and negotiated quotations than through sealed bids, the City Manager, on behalf of the City, is hereby authorized to use such bargaining and negotiation procedures and to enter into one or more contracts for the replacement of two original boilers within the Kettering Recreation Complex. The City Manager is further authorized to sign any amendments or extensions thereto that the City Manager deems appropriate.

Section 2. As provided in Section 4-8 of the City Charter, this Resolution takes effect immediately upon its adoption.

Passed by Council this _____ day of _____ 2022.

PEGGY LEHNER, Mayor

ATTEST:

CERTIFICATE OF APPROVAL

LASHAUNAH D. KACZYNSKI,
Clerk of Council

THEODORE A. HAMER, III,
Law Director

Estimated Cost: \$225,000.00
Amount Budgeted: \$225,000.00
Acct. No.: 6113-77750

(Requested by: Parks, Recreation & Cultural Arts Department)

CITY OF KETTERING, OHIO

A RESOLUTION

By:

No.

**AUTHORIZING THE CITY MANAGER TO USE COMPETITIVE
BARGAINING AND NEGOTIATED QUOTES TO CONTRACT
FOR THE REPLACEMENT OF EXISTING PLEXIGLASS AND
SAFETY NETTING WITHIN THE KETTERING ICE ARENA**

Be It Resolved by the Council of the City of Kettering, State of Ohio, that:

Section 1. On the basis that the City can often obtain lower prices and more favorable purchasing conditions through competitive bargaining and negotiated quotations than through sealed bids, the City Manager, on behalf of the City, is hereby authorized to use such bargaining and negotiation procedures and to enter into one or more contracts for the replacement of existing plexiglass and safety netting within the Kettering Ice Arena. The City Manager is further authorized to sign any amendments or extensions thereto that the City Manager deems appropriate.

Section 2. As provided in Section 4-8 of the City Charter, this Resolution takes effect immediately upon its adoption.

Passed by Council this _____ day of _____ 2022.

PEGGY LEHNER, Mayor

ATTEST:

CERTIFICATE OF APPROVAL

LASHAUNAH D. KACZYNSKI,
Clerk of Council

THEODORE A. HAMER, III,
Law Director

Estimated Cost: \$25,000.00
Amount Budgeted: \$25,000.00
Acct. No.: 6108-77750

(Requested by: Parks, Recreation & Cultural Arts Department)

CITY OF KETTERING, OHIO

A RESOLUTION

By:

No.

**AUTHORIZING THE CITY MANAGER TO USE COMPETITIVE
BARGAINING AND NEGOTIATED QUOTES TO CONTRACT
FOR PAINTING OF THE MAIN POOL AND ADVENTURE REEF
WATER PARK ACCESSORIES AT THE KETTERING
RECREATION COMPLEX**

Be It Resolved by the Council of the City of Kettering, State of Ohio, that:

Section 1. On the basis that the City can often obtain lower prices and more favorable purchasing conditions through competitive bargaining and negotiated quotations than through sealed bids, the City Manager, on behalf of the City, is hereby authorized to use such bargaining and negotiation procedures and to enter into one or more contracts for painting of the main pool and Adventure Reef Water Park accessories at the Kettering Recreation Complex. The City Manager is further authorized to sign any amendments or extensions thereto that the City Manager deems appropriate.

Section 2. As provided in Section 4-8 of the City Charter, this Resolution takes effect immediately upon its adoption.

Passed by Council this _____ day of _____ 2022.

PEGGY LEHNER, Mayor

ATTEST:

CERTIFICATE OF APPROVAL

LASHAUNAH D. KACZYNSKI,
Clerk of Council

THEODORE A. HAMER, III,
Law Director

Estimated Cost: \$40,000.00
Amount Budgeted: \$40,000.00
Acct. No.: 6113-77750

(Requested by: Parks, Recreation & Cultural Arts Department)

CITY OF KETTERING, OHIO

A RESOLUTION

By:

No.

**AUTHORIZING THE CITY MANAGER TO USE COMPETITIVE
BARGAINING AND NEGOTIATED QUOTES TO PURCHASE A
UTILITY TERRAIN VEHICLE AND RESCUE PLATFORM
ATTACHMENT**

Be It Resolved by the Council of the City of Kettering, State of Ohio, that:

Section 1. On the basis that the City can often obtain lower prices and more favorable purchasing conditions through competitive bargaining and negotiated quotations than through sealed bids, the City Manager, on behalf of the City, is hereby authorized to use such bargaining and negotiation procedures and to enter into one or more contracts for the purchase of a Utility Terrain Vehicle and rescue platform attachment. The City Manager is further authorized to sign any amendments or extensions thereto that the City Manager deems appropriate.

Section 2. As provided in Section 4-8 of the City Charter, this Resolution takes effect immediately upon its adoption.

Passed by Council this _____ day of _____ 2022.

PEGGY LEHNER, Mayor

ATTEST:

CERTIFICATE OF APPROVAL

LASHAUNAH D. KACZYNSKI,
Clerk of Council

THEODORE A. HAMER III,
Law Director

Estimated Cost: \$30,900.00
Funds Available: \$30,900.00
Acct. No.: 0700-77740

(Requested by: Fire Department)

CITY OF KETTERING, OHIO

A RESOLUTION

By:

No.

TO MAKE SUPPLEMENTAL APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF KETTERING, STATE OF OHIO, DURING THE FISCAL YEAR ENDING DECEMBER 31, 2022

Be It Resolved by the Council of the City of Kettering, State of Ohio, that:

Section 1. To provide for the current expenses and other expenditures of the City of Kettering during the fiscal year ending December 31, 2022, the following supplemental sums are set aside and appropriated:

A. From the General Fund:

POLICE DEPARTMENT
Operating Expenses \$ 500.00

TRANSFERS TO OTHER FUNDS
Capital Improvement Fund \$ 2,614,799.46

B. From the Special Grants & Programs Fund:

Other \$ 9,500.00

C. From the Capital Improvement Fund:

TRAFFIC CONTROLS \$ 141,643.79
STREET SURFACING \$ 2,473,155.67

Section 2. The Director of Finance is authorized to adjust appropriations within any fund or department as long as the adjustments made do not exceed the total appropriation authorized within that fund or department.

Section 3. The Clerk of Council is authorized and directed to forward a copy of this Resolution to the Montgomery County Auditor.

Section 4. As provided in Section 4-8 of the City Charter, this Resolution takes effect immediately upon its adoption.

Passed by Council this _____ day of _____ 2022.

PEGGY LEHNER, Mayor

ATTEST:

CERTIFICATE OF APPROVAL

LASHAUNAH D. KACZYNSKI,
Clerk of Council

THEODORE A. HAMER III,
Law Director

Estimated Cost: \$0 net transfers
Amount Budgeted: \$2,624,799.46
Acct. No. Various

(Requested by: Finance Department)

CITY OF KETTERING, OHIO

AN EMERGENCY ORDINANCE

By:

No.

TO AMEND SECTION 476.03 OF THE CODIFIED ORDINANCES REGARDING OPERATION OF SNOWMOBILES AND ALL PURPOSE VEHICLES AND DECLARING AN EMERGENCY

WHEREAS, the Ohio General Assembly enacted a statewide uniform firearms law which provided that municipalities could not adopt firearm regulations in conflict with those contained in the Ohio Revised Code; and

WHEREAS, the Ohio Supreme Court ruled that it was not a violation of Ohio's home rule provisions for the Ohio General Assembly to prohibit municipalities from enacting their own ordinances regulating firearm possession and sale that are in conflict with the firearm regulations enacted by the Ohio General Assembly in the Ohio Revised Code; and

WHEREAS, it is necessary to reconcile Codified Ordinance Section 476.03 with the Ohio Revised Code concerning the regulation of firearms;

NOW, THEREFORE, Be It Ordained by the Council of the City of Kettering, State of Ohio, at least five of the members concurring, that:

Section 1. Sections 476.03 of the Codified Ordinances is amended and renumbered to read as set forth in Exhibit A, attached hereto and incorporated herein.

Section 2. This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety, which shall be effective upon passage, in order to conform, as soon as possible, the Codified Ordinances concerning firearms to the Ohio Revised Code. Therefore, this Ordinance shall become and be effective immediately upon its passage.

Passed by Council this _____ day of _____ 2022.

PEGGY LEHNER, Mayor

ATTEST:

CERTIFICATE OF APPROVAL

LASHAUNAH D. KACZYNSKI,
Clerk of Council

THEODORE A. HAMER III,
Law Director

(Requested by: Law Department)

Key to Proposed Amendments:

1. Existing language appears in regular type. Example: text
2. Existing language to be deleted appears in strikethrough. Example: ~~text~~
3. New language to be added appears in underline. Example: text

EXHIBIT A

476.03 CODE APPLICATION; PROHIBITED OPERATION.

(a) The applicable provisions of this Traffic Code shall be applied to the operation of snowmobiles and all purpose vehicles, except that no snowmobile or all purpose vehicle shall be operated as follows:

[Existing language unaffected by the amendments is omitted to conserve space]

~~(5) While transporting any firearm, bow or other implement for hunting, that is not unloaded and securely encased;~~

~~(5)(6) For the purpose of chasing, pursuing, capturing or killing any animal or wild fowl; or~~

~~(6)(7) During the time from one-half hour after sunset to one-half hour before sunrise, unless displaying lighted lights as required by Section 476.02.~~

[Existing language unaffected by the amendments is omitted to conserve space]

CITY OF KETTERING, OHIO

AN ORDINANCE

By:

No.

TO AMEND THE TRAFFIC CONTROL MAP AND THE TRAFFIC CONTROL FILE OF THE CITY OF KETTERING TO SHOW THE INSTALLATION OF TRAFFIC SIGNS ON MADDIX DRIVE IN THE CITY OF KETTERING, OHIO

Be It Ordained by the Council of the City of Kettering, State of Ohio, that:

Section 1. The Traffic Control Map and the Traffic Control file of the City of Kettering, Ohio are hereby amended to show:

- A. STOP – Northbound and Southbound Maddix Drive;
- B. ROW – Peach Orchard Road; and
- C. NO PARKING ANY TIME – Maddix Drive East Side from Peach Orchard Drive Northward for a total distance of 475ft.

Section 2. The City Engineer is hereby directed to have signs erected or taken down in accordance with this amendment.

Section 3. As permitted in Section 406.03 of the Codified Ordinances of the City of Kettering, Ohio, the temporary traffic control authorization has been used to quickly install these regulations.

Section 4. As provided in Section 4-8 of the City Charter, this Ordinance shall be effective two weeks after adoption.

Passed by Council this _____ day of _____ 2022.

PEGGY LEHNER, Mayor

ATTEST:

CERTIFICATE OF APPROVAL

LASHAUNAH D. KACZYNSKI,
Clerk of Council

THEODORE A. HAMER III,
Law Director

(Requested by: Engineering Department)