



## City of Bexley Board of Zoning and Planning

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### Decision and Record of Action – January 26, 2023

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The City of Bexley Board of Zoning and Planning took the following action at this meeting:

Application No.: BZAP-22-49  
Applicant: Scott Baker  
Owner: Anthony & Veronica Bradley  
Address: 2456 Fair Ave  
Request: The applicant is seeking Architectural Review and approval for a Certificate of Appropriateness, to allow a new detached garage which will replace the existing detached garage. The applicant is also seeking a 3' variance from Bexley Code Section 1252.15(g)(1) which requires a 3' setback from all property and right-of-way lines, to allow the garage to be 2'2" from the side property line, 6' from the rear property line and at the edge of the 6' easement and an 18'10" overall height, and eaves that exceed 9' in height.

**MOTION:** The following motion was to grant a variance by Mr. Marsh and seconded by Mr. King.

The findings and decisions of the Board, as stated by Kathy Rose: The Board of Zoning and Planning finds that upon consideration of the application, proposed variance and evidence and testimony before it, the Applicant has proven that the criteria to grant an area variance in Bexley code Section 1226.11© have been met and a 10" variance from Bexley Code Section 1252.15(g)(1) to allow a new detached garage to be located 2'2" from the side property line, a 3' variance to allow the garage to be 6' from the rear property line and at the edge of the sanitary line utility easement with the following condition:

1)The Bexley Service Director confirm that the location does not substantially affect City services; 2) the Certificate of Appropriateness is approved in accordance with the Architectural Review Board recommendation.

The applicant agreed to the proposed findings and decision of the Board.

**VOTE:** Mr. King, Mr. Levine, Mr. Marsh; voting yes and Chairman Behal

voting - no; motion passed

**RESULT:** The application to grant a variance was approved with conditions and also a Certificate of Appropriateness.

Staff Certification: Recorded in the Official Journal this 26th day of January, 2023.



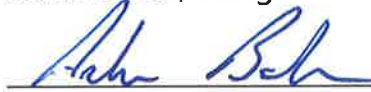
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Kathy Rose, Zoning Officer



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Karen Bokor, Design Consultant



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Andrew Bashore, Service Director

cc: Applicant, File Copy



### CONSENT AND HOLD HARMLESS AGREEMENT

This agreement, entered into this 26th day of March 2023  
Between the City of Bexley, ("City") and Veronica and Anthony Bradley  
("Property Owner"), concerns property owned by the Resident and commonly known as  
2456 Fair Avenue, Bexley, Ohio.

The property owner, his successors and assigns (collectively the "Owner") shall hold the City harmless from any and all damages which may arise from, or grow out of the construction, installation, maintenance, repair, relocation, removal or replacement of the System for any reason and shall defend, at his/her own cost, every suit in which the City of Bexley, Ohio shall be made a party, brought and prosecuted for the recovery of any such damages; that the occupancy of public property is hereby permitted merely as an accommodation to the said grantee and that no right, title or interest of the public is waived or abridged in any way thereby; that the Owner, upon notice from the City of Bexley, Ohio duly authorized by the Council of Bexley, Ohio, shall forthwith remove said System from the public property occupied by it and shall yield to said City all rights to occupy the public property used for such System whenever said City shall determine the same to be necessary or desirable; that the Owner releases the City, its employers and agents, from any liability for damage to the System arising out of or in connection with any cause whatsoever; that said System shall be constructed as to not interfere with or damage any utility facilities or to impede nor interfere with in any way the use of the easement/right-of-way area, streets, alleys, sidewalks, and curbs by the City and the public; and in the event that the City determines changes to the System to be necessary or desirable, the Owner shall promptly make any such changes, relocations, or rearrangements solely at his/her expense.

This Agreement shall not be construed as in any way limiting the rights presently held by the City in the easement/right-of-way areas, or the use thereof for public purposes, except to promote the construction and main entrance of the System in the easement/right-of-way area.

This Agreement shall be binding on and for the benefit of the parties hereto and their respective successors and assigns (ORD 262.04).

[Signature]  
Signature of Property Owner

2456 Fair Avenue  
Address

Veronica Bradley Anthony Bradley  
Printed Name of Property Owner

March 26, 2023  
Date of Signature

[Signature]  
City of Bexley

3/27/23  
Date Signed

Andy Bashore  
Printed Name of Bexley Representative

Service Director  
Title

