

ORDINANCE NO. 67-83

BY: James H. Gross

To permit the erection of a decorative brick wall on City property at 526 North Cassingham Road.

WHEREAS, Mr. Erv Bendit, owner of the Ci Bon Furniture Store at 526 North Cassingham Road has requested a special permit to construct a 3' high decorative brick wall in front of the store on the City-held right-of-way; and

WHEREAS, the existing landscaping has not grown well at this location due to its close proximity to the street and the subsequent exposure to auto emission and road salt; and

WHEREAS, this portion of North Cassingham Road is unimproved and no plans nor need exist in the foreseeable future for the widening of said street and the construction of concrete curb, gutter and sidewalks; and

WHEREAS, this property is located in the General Commercial Zoning District which is not completely developed and is unlike any other property in other zoning districts in Bexley.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BEXLEY, STATE OF OHIO:

Section 1: That permission is hereby granted to Mr. Erv Bendit to erect a 3' high decorative brick wall along the east side of the unimproved North Cassingham Road right-of-way.

Section 2: That in consideration of this permission to use City property, said Erv Bendit, his heirs and assigns, will maintain said wall in good condition and repair at no expense to the City, and will hold the City harmless from any and all claims that may be made as a result of said wall being located on City property.

Section 3: That said Erv Bendit has been advised and understands that there is no adverse possession against the City of Bexley and since this wall will be erected on City property, the City may order removal of the wall at any time.

Section 4: That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: Nov 22, 1983

Attest:

John H. Harkness
Clerk of Council

Barbara Thomas Christie
President of Council

Approved: Nov 22, 1983

David H. Madison
David H. Madison
Mayor

Oct 20, 1983 First reading

Oct 25, 1983 Second reading

Tabled to Nov 22, 1983

Nov 22, 1983. Removed from table

Ordinance adopted

NOTICE OF PUBLIC HEARING

The Bexley City Council will conduct a Public Hearing on the adoption of Ordinance No. 67-83 to permit the erection of a decorative brick wall on City property at 526 North Cassingham Road, at 7:00 P.M., Tuesday, November 22, 1983, in the City Council Chambers of Bexley City Hall, 2242 East Main Street, Bexley, Ohio 43209. All interested persons are invited to attend.

BY:

John W. Hornberger
John W. Hornberger
Clerk of Council