

ORDINANCE NO. 45 -87

BY: Albert Meyer

An Ordinance authorizing the Mayor and Auditor to sign a Consent and Hold Harmless Agreement on behalf of the City of Bexley with the property owner at 204 S. Stanwood Road (lot number 369; Bexley Highlands Amended Addition) regarding improvements to be made upon and within the City owned right-of-way of S. Stanwood Road.

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

Section 1. That the property owner at 204 S. Stanwood Road (lot number 369; Bexley Highlands Amended Addition) has requested approval to construct a stone landscape wall in the front yard setback of said property, which, as proposed, would encroach a distance of approximately 2.0 feet upon and within the S. Stanwood Road right-of-way owned by the City of Bexley;

Section 2. That the Mayor and the Auditor be, and they hereby are, authorized to enter into a Consent and Hold Harmless Agreement with the property owner, a copy of which is attached hereto and made a part hereof as if fully rewritten, authorizing the encroachment as proposed in accordance with the submitted site plan on the condition that the property owner assume all responsibility for damages, loss, and injury arising out of the location of said retaining wall including any additional cost to the City of Bexley incurred in connection with its use of the right-of-way occasioned by the location of the structure.

Section 3. That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

passed: June 23, 1987

ATTEST: John I. Hodgson
Clerk of Council

J. Holmest
President of Council

APPROVED: June 23, 1987
David H. Madison
David H. Madison
Mayor

May 26, 1987 - 1st reading
June 9, 1987 - 2nd reading
June 23, 1987 - 3rd reading
Adopted

STATE OF OHIO, COUNTY OF FRANKLIN: SS:

The foregoing instrument was acknowledged before me this 13th day of July, 1987, by Daniel W. Madison, Mayor of the City of Bexley, Ohio, and, John W. Hornberger, Auditor of the City of Bexley, Ohio.

Robert C. Foulk
Witness

D. Madison
Mayor

John W. Crane
Witness

John W. Hornberger
Auditor

Karen Marie Sluder
Notary Public
KAREN MARIE SLUDER
Notary Public, State of Ohio
My Commission Expires 7-1-93

STATE OF OHIO, COUNTY OF FRANKLIN: SS:

The foregoing instrument was acknowledged before me this _____ day of _____, 19____, by _____

Property Owner(s).

Robert C. Foulk
Witness

J. Johnson
Property Owner

Marianna McCullough
Witness

Property Owner

Kathleen Marie Rose
Notary Public

KATHLEEN MARIE ROSE
NOTARY PUBLIC, STATE OF OHIO
MY COMMISSION EXPIRES JULY 1, 1990

This letter and attached diagram are a request for a permit to construct a stone wall on our property.

Our house is on a corner lot, and the school children walk through our yard as if it were an extension of the sidewalk. This is our main reason for the request, also we have a problem with erosion, since our front lawn is on a slope. We feel if constructed properly, this wall would enhance the appearance of our property and deter further abuse of our grass and flowers!

We are relatively new to the area and unaware of local ordinances concerning this matter. I spoke with Mrs. Prichard on 5-8. Mrs. Prichard informed us of all the necessary paperwork and Council consideration, however we have prematurely ordered the stone necessary from Lang Stone Co.

We hope with this explanation
over →

and diagram you will have everything
you need to grant the said permit
Any additional information needed
please feel free to phone us.

Thank you for your time,

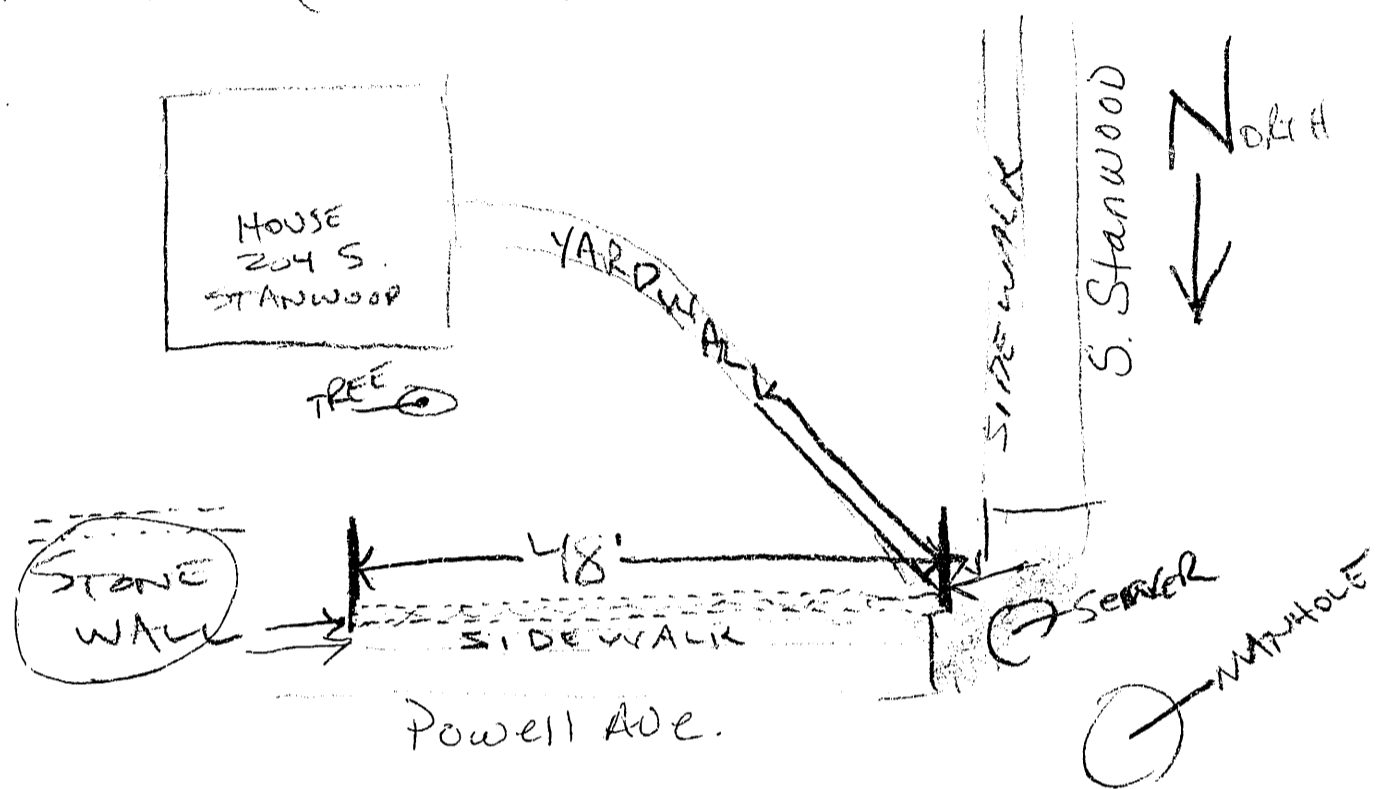
Mr. & Mrs. Scott H. Johnson
204 S. Stanwood

231-1279

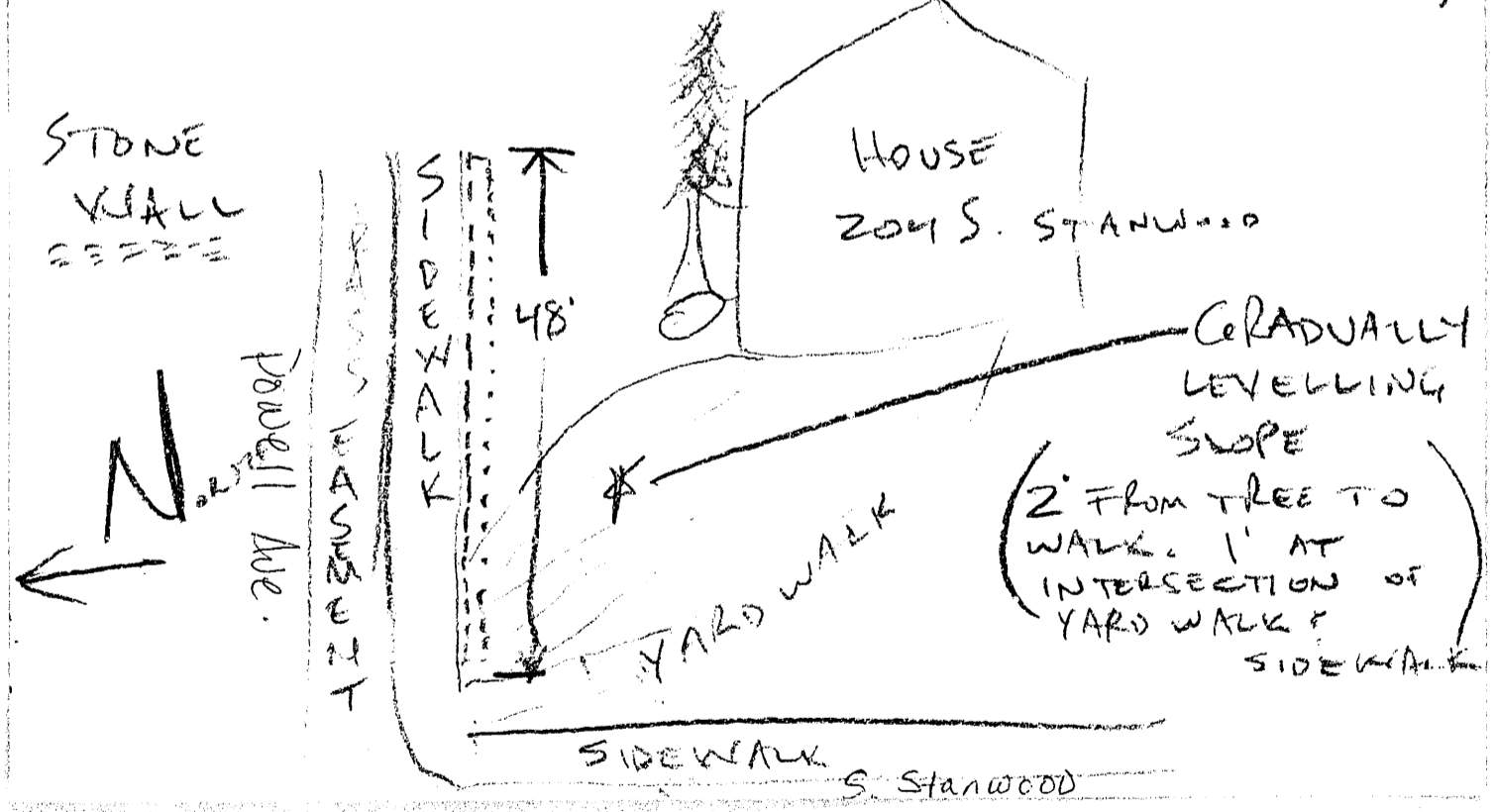
Running adjacent to the south edge of the sidewalk on the Powell side of 204 S. Stanwood, there will be a 27" to 36" stone wall approximately 48' in length starting at the intersection of the diagonal yard walk in the 204 Stanwood yard and extending eastward to a distance of 48' from starting point.

204 S. Stanwood
lot # 369
Bexley Highlands Amd

TOP VIEW (BIRD'S EYE)



GROUND VIEW (FACING EAST) (FROM INTERSECTION OF POWELL & STANWOOD)



City of Bexley, Ohio

2242 East Main Street, 43209 235-8694

City Council

John T. Loehner, President
John H. Offenberg
William N. Bellamy
Albert J. Myers
Joanne H. Renft
Robert K. Schmitz
Mark R. Masser
James H. Gross, City Attorney
John W. Hornbein, Director

David K. Madison, Mayor

NOTICE OF PUBLIC HEARING

This is to inform you that a public hearing will be held by the Council of the City of Bexley, Ohio, at 7:00 PM., Tuesday, June 23, 1987, at Bexley City Hall, 2242 East Main Street, to consider adoption of Ordinance No. 45-87. This Ordinance, if approved, will allow for the construction of a stone wall which ranges in height from 1' to 3', in the side yard of 204 South Stanwood Road. All interested persons are invited to attend.