

ORDINANCE NO. 95-90

By: Albert J. Myers

To grant variances from the minimum lot requirements in accordance with the provisions of substitute Ordinance No. 51-88 of the City of Bexley for Lot Numbers 34 and 35 of that subdivision entitled "Stanbery Place Addition", of record in Plat Book 13, Page 14, Recorder's Office, Franklin County, Ohio, to approve the lots as reconfigured pursuant to such variances, and to declare an emergency.

WHEREAS, Eric Schottenstein is the owner of the above-described Lot 34 and Lot 35 of Stanbery Place Addition of the City of Bexley; and

WHEREAS, Lot 34 and Lot 35 are presently zoned R-3, Medium Density Single-Family Residential District as set forth in Section 1248 of the Codified Ordinances of the City of Bexley; and

WHEREAS, Eric Schottenstein has applied for variances to allow transfers between Lot 34 and Lot 35; and

WHEREAS, such variances and resulting lot configurations are more completely described in the legal descriptions and plat attached hereto as Exhibit A; and

WHEREAS, Council has received a recommendation for approval of such variances from the Engineering and Plats Committee; and

WHEREAS, Council finds that such variances will alleviate a hardship or difficulty, will not have a materially adverse effect on the surrounding property or neighborhood, are consistent with the general purposes of the Zoning Code and are not contrary to the public interest; and

WHEREAS, the proposed variances will not be detrimental to public facilities and services in the City; now, therefore,

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

Section 1. That the variances from the minimum lot requirements of the R-3 zoning district set forth in the metes and bounds descriptions attached hereto as Exhibit A are hereby granted and authorized pursuant to Substitute Ordinance No. 51-88 of the City of Bexley with respect to Lot Nos. 34 and 35 of that subdivision entitled "Stanbery Place Addition", of record in Plat Book 13, Page 14, Recorder's Office, Franklin County, Ohio.

Section 2. That the lot configurations resulting from such variances are hereby approved, and the City Zoning Officer is hereby authorized and directed to stamp and sign the approval of the City of Bexley on the descriptions which create such lots as described in Exhibit A attached hereto.

Section 3. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety, said emergency being the

necessity of closing a sale of one of the lots prior to year-end, and shall be in force immediately upon its passage and approval by the Mayor.

Passed Dec. 19, 1990.

[Signature]
President of Council

Attest [Signature]
Clerk of Council

Dec. 19, 1990
Approved

[Signature]
David H. Madison, Mayor

*Dec. 19, 1990 - 1st reading
Susp. & Adopt.*

0.439 ACRE PARCEL

Situated in the State of Ohio, County of Franklin, City of Bexley and being a parcel of land containing 0.439 acres, said 0.439 acre parcel being a part of Lot 34 and Lot 35 of that subdivision entitled, "Stanbery Place Addition" of record in Plat Book 13, Page 24, all references being to those of record in the Recorder's Office, Franklin County, Ohio, said 0.439 acre parcel being more particularly bounded and described as follows:

Beginning at an existing iron pin in the northerly right-of-way line of Ashbourne Place (55 feet wide) marking the southeasterly most corner of Lot 35, said pin also being in the arc of a curve to the left;

thence, northwesterly along the arc of said curve and along said northerly right-of-way line (Radius = 191.00', Delta = 21° 07' 05") a chord bearing and distance of North 47° 17' 34" West, 70.00 feet to an existing iron pin marking the southwesterly most corner of Lot 35 and the southeasterly corner of Lot 34;

thence, leaving the northerly right-of-way line of Ashbourne Place, North 49° 24' 22" East, across Lot 35, a distance of 52.39 feet to the point;

thence, North 1° 08' 28" East, passing through the line common to Lots 34 and 35 at 38.66 feet, a total distance of 129.00 feet to a point in the northerly line of Lot 34 and being in the southerly right-of-way line of Maryland Avenue (60 feet wide);

thence, South 88° 47' 30" East, along the southerly line of Maryland Avenue and the northerly line of Lots 34 and 35, passing through the original corner common to said lots at 48.00 feet, a total distance of 98.00 feet to the northeasterly corner of Lot 35;

thence, leaving the southerly right-of-way line, South 1° 08' 28" West, along the easterly line of Lot 35, a distance of 148.75 feet to a point

thence, South 55° 11' 00" West, along a southerly line of said lot, a distance of 104.67 feet to the place of beginning and containing 0.439 acres, more or less of which 0.050 acre is a part of Lot 34.

Subject, however, to all legal easements and/or rights-of-way, if any, of previous record.

The bearings in the above description are based upon the southerly right-of-way line of Maryland Avenue as being South 88° 47' 30" East.

EVANS, MECHWART, HAMBLETON & TILTON, INC.

Lawrence E. Ball
Lawrence E. Ball
Professional Surveyor No. 6878

THIS DESCRIPTION APPROVED.

Dorothy Pritchard
Dorothy Pritchard
Zoning Officer
City of Bexley, Ohio

L-16
TO COMB
020-1570
020-1571
SPLIT FROM
THE COMBINATION
70' SL & 98' NL
52.39' SW LINE &
129' WEST LINE OF
IRREGULAR PIECE
(48' NL & 90.34' WL TRIANGLE SPLIT
FROM LT. 34 & ~~35~~
& SPLIT 52.39' SE LINE &
38.66' EAST LINE (IRREG. PIECE
FROM LT. 35)

EXHIBIT "A"

Situated in the State of Ohio, County of Franklin, City of Bexley and being a parcel of land containing 0.338 acres, said 0.338 acre parcel being a part of Lot 34 and Lot 35 of that subdivision entitled, "Stanbery Place Addition" of record in Plat Book 13, Page 24, all references being to those of record in the Recorder's Office, Franklin County, Ohio, said 0.338 acre parcel being more particularly bounded and described as follows:

Beginning at an existing iron pin in the northerly right-of-way line of Ashbourne Place (55 feet wide) marking the southeasterly most corner of Lot 34, said pin also being in the arc of a curve to the left;

thence, northwesterly along the arc of said curve and along said northerly right-of-way line (Radius = 191.00', Delta = 19° 35' 38") a chord bearing and distance of North 67° 39' 37" West, 65.00 feet to an iron pin;

thence, leaving the northerly right-of-way line of Ashbourne Place, North 1° 50' 12" East, a distance of 140.50 feet to the point in the southerly right-of-way line of Maryland Avenue (60 feet wide) marking the northwesterly corner of Lot 34, said point bears South 1° 50' 12" West, a distance of 0.50 feet from an existing iron pin;

thence, South 88° 47' 30" East, along the southerly right-of-way line of Maryland Avenue and the northerly line of Lot 34, a distance of 98.00 feet to a point;

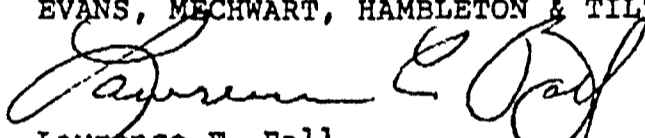
thence, leaving the southerly right-of-way line of Maryland Avenue, South 1° 08' 28" West, passing through the line common to Lots 34 and 35 at 90.34 feet a total distance of 129.00 feet to a point;

thence, South 49° 24' 22" West, a distance of 52.39 feet to the place of beginning and containing 0.338 acre, more or less of which 0.017 acre is a part of Lot 35.


Subject, however, to all legal easements and/or rights-of-way, if any, of previous record.

The bearings in the above description are based upon the southerly right-of-way line of Maryland Avenue as being South 88° 47' 42" East.

EVANS, MECHWART, HAMBLETON & TILTON, INC.

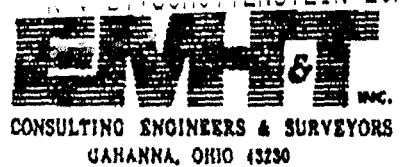

Lawrence E. Ball
Professional Surveyor No. 6878

THIS DESCRIPTION APPROVED.


Dorothy Pritchard
Zoning Officer
City of Bexley, Ohio

L-16
ALL THE
BALANCE OF
COMB 020-1570 &
020-1571

(ALL THE BAL. OF
LT. 34 & ADD. THE
52.39' SE LINE & 38.00'
EAST LINE IRREGULAR PIECE
FROM LT. 35)



PLAT OF SURVEY
BEING PART OF LOTS 34 AND 35 - "STANBERY PLACE ADDITION"
CITY OF BEXLEY, FRANKLIN COUNTY, OHIO

SCALE 1" = 30'

○=IRON PIN

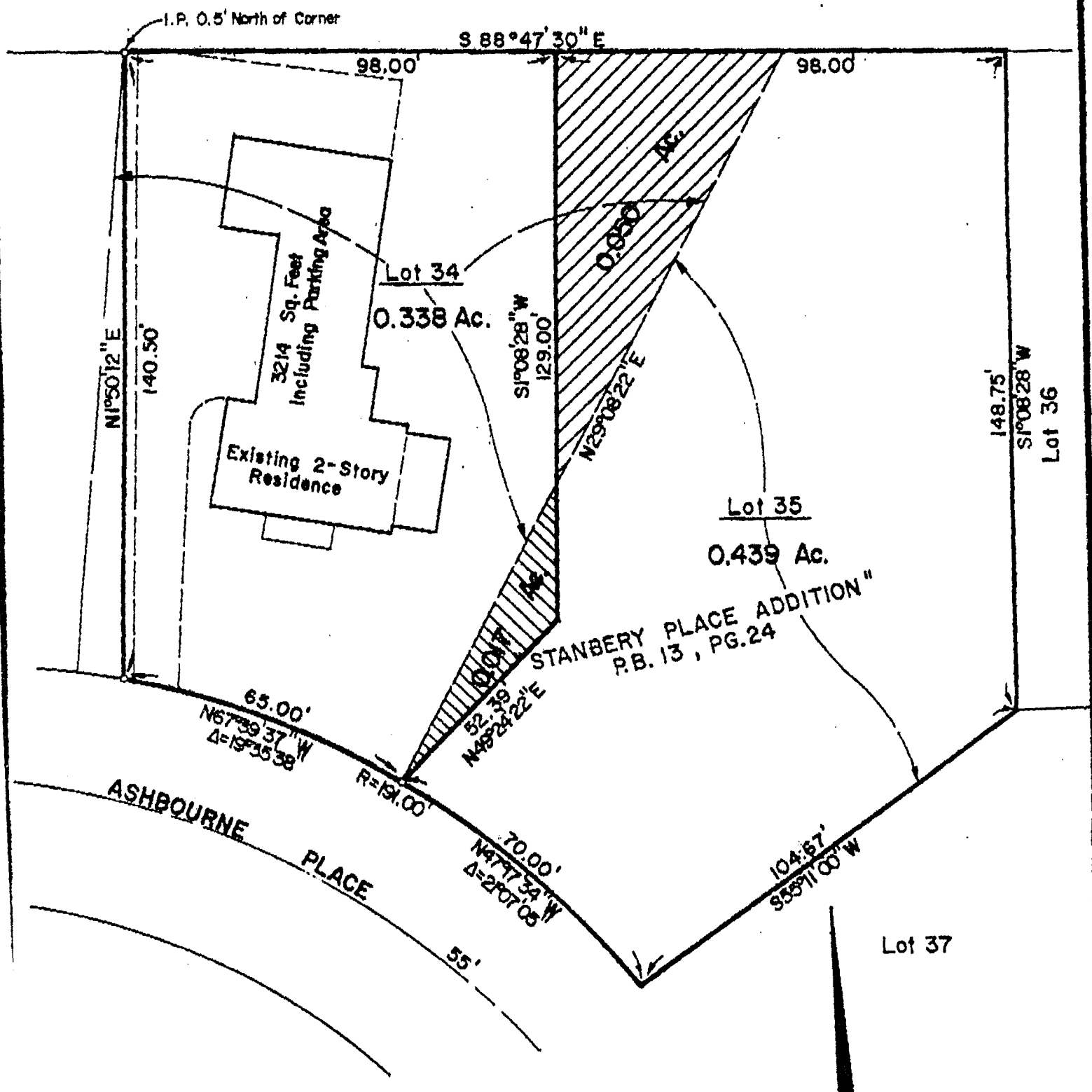
DECEMBER 13, 1990

RECORD REFERENCES P.B. 13, PG. 24



BASIS OF BEARINGS: The bearings as shown hereon are based upon the southerly right-of-way line of Maryland Avenue as being S88°47'30"E.

MARYLAND AVENUE 60'



We do hereby certify to the best of our knowledge, information and belief, to HOUSEHOLD BANK, BENCHMARK TITLE AGENCY, INC. and COMMONWEALTH LAND TITLE INSURANCE COMPANY that this plat was prepared from a field survey of the premises, that it correctly shows the location of the existing residence and driveway as situated on Lot 34 and that the lines of title and the lines of occupation are the same.

E.M.H.&T. INC.
[Signature]
Professional Surveyor No. 6878