

By: William J. Schottenstein

An Ordinance to approve the transfer of 43.70 square feet from Lot #400 of the Bellwood Addition (also known as 2814 Delmar Drive) to Lot #399 of the Bellwood Addition (also known as 2800 Delmar Drive), to grant a variance for Lot #400 from the minimum 100 foot width requirement of the General Commercial (GC) District and to declare an emergency.

WHEREAS, a building constructed on Lot #399 of the Bellwood Addition encroaches onto Lot #400 of the Bellwood Addition by approximately five inches; and

WHEREAS, the owner of Lot #399 has agreed to purchase a portion of Lot #400 to eliminate the encroachment; and

WHEREAS, the owner of Lot #400 has agreed to sell a portion of Lot #400 to eliminate the encroachment; and

WHEREAS, Lot #400 presently is 80 feet wide, does not meet the minimum 100 foot lot width requirement of the General Commercial (GC) District and the width of Lot #400 will be further reduced by 6 inches and will, therefore, not meet such requirement after the transfer; and

WHEREAS, this Council finds that the granting of a variance to Lot #400 from the minimum lot width requirement of the General Commercial (GC) District will alleviate a hardship or difficulty, will not have a materially adverse effect on the surrounding property or neighborhood, is consistent with the general purposes of this Zoning Code and is not contrary to the public interest because Lot #400 presently does not so conform and the further reduction in lot width to be effected by the transfer is de minimus. NOW, THEREFORE,


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

Section 1. That the transfer of 43.70 square feet from Lot #400 of the Bellwood Addition to Lot #399 of the Bellwood Addition, and as further described by the survey and legal description dated February 2, 1998 which are attached to and made a part of this ordinance, should be and hereby is approved.

Section 2. That a variance to the minimum lot width requirement of the General Commercial (GC) District is hereby granted to Lot #400 as described in the attachments referenced in Section 1.

Section 3. That this Ordinance is an emergency Ordinance necessary for the immediate preservation of the public peace, health and safety, said emergency being the need to complete the transfer to allow the sale of Lot #399, and that this Ordinance shall go into effect upon its passage and approval by the Mayor.

Passed: February 10, 1998



President of Council

Attest: Richard A. Levin
Clerk of Council

Approved: 2/10, 1998

David H. Madison
David H. Madison, Mayor

2740 East Main Street
Bexley, Ohio 43209-2577
(614) 235-8677
Telefax 235-4559

LOT SPLIT APPROVAL
CITY OF BEXLEY PLANNING COMMISSION
Signed In Accordance with Ordinance
Date # 14-98 approved 2-10-98
February 2, 1998

Rosally Ruckard
Service Director

Legal Description 43.7 Square Feet

Situated in the State of Ohio, County of Franklin, City of Bexley and being part of Lot 400 of Bellwood Addition as the same is numbered and delineated upon the recorded plat thereof of record in Plat Book 6, Page 16, all references being to those records of the Office of Recorder, Franklin County, Ohio unless otherwise noted, and being more particularly bounded and described as follows:

Beginning at the southeasterly corner of Lot 399 of said Bellwood Addition, southwesterly corner of Lot 400 and being in the northerly line of Delmar Drive (60 feet wide);

thence with the line between Lots 399 and 400, North 04 degrees 20 minutes 00 seconds East, 87.34 feet (passing an iron pin found at 67.10 feet) to an iron pin found in the centerline of Front Street (40 feet wide, vacated by Ordinance #36-84);

thence with said centerline, North 85 degrees, 31 minutes 00 seconds East, 0.51 feet to a point;

thence, across said vacated Front Street and Lot 400, South 04 degrees 20 minutes 00 seconds West, 87.42 feet (passing an iron pin set at 20.24 feet) to an iron pin set in the northerly line of Delmar Street;

thence with the northerly line of Delmar Street, North 85 degrees 43 minutes 50 seconds West, 0.50 feet to the place of beginning and **CONTAINING 43.7 SQUARE FEET.**

Iron pins set are 30" x 1" O.D. with orange plastic caps inscribed "P.S. #6579". The basis of bearings for the foregoing description is from Plat Book 6, Page 16, the southerly line of Front Street held as North 85 degrees 31 minutes East.

MYERS SURVEYING COMPANY, INC.

James L. Williams

James L. Williams, P.S. #7167
JLW/kmh (21122997)

Description Verified
John Cirilo, P.E., F.S.
Franklin County Engineer
Date: 2-3-98
JLW

STATE OF OHIO
JAMES L. WILLIAMS
7167
REGISTERED PROFESSIONAL SURVEYOR

N-19
SPLIT
.51' N. LINE
.50' S. LINE
WEST SIDE
(020)
392

Myers Surveying Company, Inc.

2740 East Main Street, Columbus 43209 (Bexley), Ohio
 614-235-8677 FAX: 614-235-4559

A Boundary Survey prepared for and certified to:

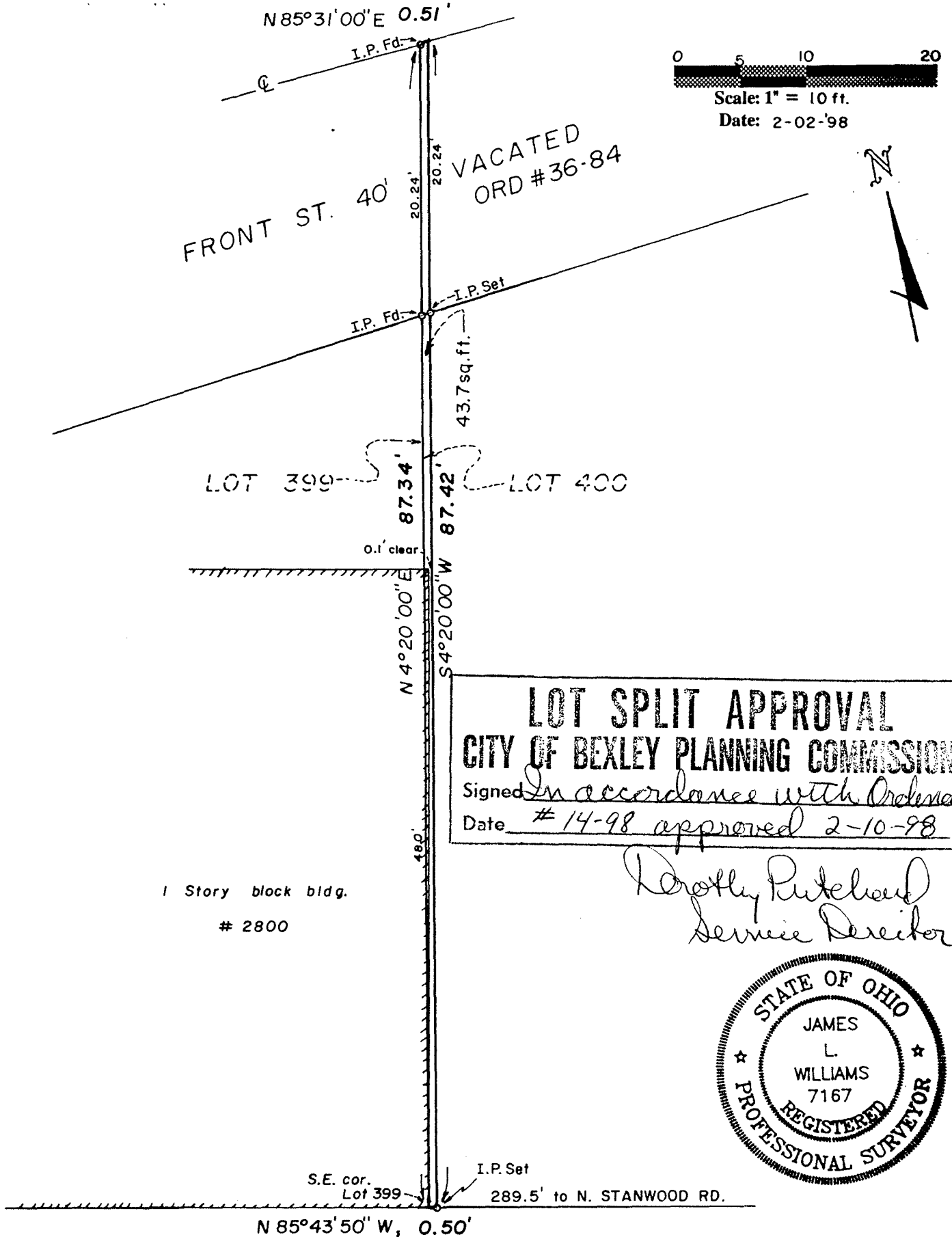
Preferred Title & Guaranty Agency, Inc. and/or National City Bank of Columbus and/or Wm. L. & Antoinette Wilbur

Legal Description: Situated in Ohio, County of Franklin, City of Bexley, Being Part Lot 400 Bellwood Addition, Plat Book 6, Page 16

Applicant: Wm. L. & Antoinette C. Wilbur

Posted Address: 2800 Delmar Drive, Bexley, Ohio

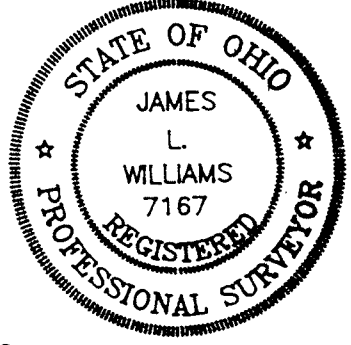
F.E.M.A. Flood Zone Designation: Flood Zone "X" as per F.I.R.M. 390168 0260G.



0 5 10 20
 Scale: 1" = 10 ft.
 Date: 2-02-'98

LOT SPLIT APPROVAL
CITY OF BEXLEY PLANNING COMMISSION
 Signed *In accordance with Ordinance*
 Date *# 14-98 approved 2-10-98*

Dorothy Pritchard
 Service Director



We hereby certify that the foregoing Boundary Survey was prepared from actual field measurements in accordance with Chapter 4733-37 Ohio Administrative Code. Iron pins set are 30"x1" O.D. with an orange plastic plug inscribed "P.S. 6579", unless otherwise noted. Basis of bearing is P.B. 6, Pg. 16, Front St. held as N85°31'E.

Myers Surveying Co., Inc.
James L. Williams
 Professional Surveyor

Myers Order No. - 21-12/29/97	Rec.	Field	DWG	Ltr.	Ck.
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Order Number: 970100868

GENERAL WARRANTY DEED

ANDREW MEYER

for valuable consideration paid, grant(s) with general warranty covenants, to ERWIN M BENDIT, of Franklin County, Ohio

whose tax-mailing address is

the following real property: Situated in the City of Bexley, County of Franklin and State of Ohio:

SEE ATTACHED EXHIBIT 'A' FOR COMPLETE LEGAL DESCRIPTION.

PARCEL NO:

Subject to the following: The lien of any taxes and assessments not now due and payable; zoning ordinances and regulations; legal highways; and restrictions, conditions, reservations and easements of record.

Prior Instrument Reference: Official Record

page ANDREW MEYER, the said Grantor

dower in said premises, has hereunto set hand, who hereby release right and expectancy of day of, 19, this

Witness

ANDREW MEYER

Witness

STATE OF OHIO, COUNTY OF FRANKLIN

ss:

On this day of, 19, before me, a Notary Public in and for said State, personally came ANDREW MEYER

the Grantor(s) in the foregoing deed, and acknowledged the signing thereof to be voluntary act and deed.

Witness my official signature and seal on the day last mentioned.

This instrument was prepared by: J. WILLIAM FARKAS ATTORNEY AT LAW 303 E. Livingston Avenue Columbus, Ohio 43215 (614) 222-2356