

ORDINANCE NO. 61-98

BY: William J. Schottenstein

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 tenant at 2418 East Main Street (Lot Number Acreage; Nelson Heirs Addition) regarding improvements to be made upon and within the City owned right-of-way of Cassady Avenue and to declare an emergency.

WHEREAS, the tenant at 2418 East Main Street, Todd Appelbaum, owner and operator of Cup O' Joe, has requested permission to occupy City of Bexley right-of-way alongside 2418 East Main Street adjacent to South Cassady Avenue for the purpose of creating a patio for outside seating for his business, a coffee house known as Cup O' Joe; and,

~~WHEREAS, this is consistent with the Main Street Redevelopment Plan Workbook Recommendation to encourage pedestrian activities on East Main Street; and,~~

WHEREAS, the Main Street Redevelopment Commission will review the proposed project including the use, the building, and the patio design for appropriateness. NOW, THEREFORE,

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

Section 1. That the property tenant at 2418 East Main Street (Lot Number Acreage; Nelson Heirs Addition) has requested approval to occupy the City right-of-way of said property which would encroach a distance of 14.50 feet upon and within the South Cassady Avenue right-of-way owned by the City of Bexley for the purpose of a patio seating area for the business known as Cup O' Joe.

Section 2. That the property tenant will request and receive Environmental Review approval from the Bexley Main Street Redevelopment Commission for the proposed project including the use, the building, and the patio design.

Section 3. That the Mayor and Auditor be, and they hereby are, authorized to enter into a Consent and Hold Harmless Agreement with the property tenant, in form and substance satisfactory to the City Attorney, authorizing the encroachment as proposed in accordance with the submitted request on the condition that the property tenant assume all responsibility for damage, loss, and injury arising out of the location of said patio 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 patio.

Section 4. 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 begin construction during the August recess of Bexley City Council and shall take effect and be in force from and after the earliest period allowed by law.

Passed: _____, 1998

President of Council

Attest: _____
Clerk of Council

*July 14, 1998 - first reading
July 28, 1998 - second reading*

Approved: _____, 1998

David H. Madison, Mayor

CupO'Joe

Cond's Copy

PUBLIC NOTICE

This is to inform you that a public meeting will be held by the Engineering and Plats Committee of the Council of the City of Bexley, Ohio, at 6:15 P.M., Tuesday, July 21, 1998, at Bexley City Hall, 2242 East Main Street, to consider adoption of Ordinance No. 61-98. This Ordinance, if approved, will allow for the construction of a patio with outside seating on City owned right-of-way east of and adjacent to the building at 2418 East Main Street (alongside Cassady Avenue). The patio would be associated with the business known as Cup O' Joe.

All interested persons are invited to attend.



Mailed 7-15-98

APPLICATION NUMBER _____
FILING FEE: \$ _____

CITY OF BEXLEY, OHIO

**APPLICATION TO APPEAR BEFORE
BEXLEY CITY COUNCIL**

1. This application is submitted for: (please check)

() Rezoning () Lot Split () Plat Approval () Variance

2. APPLICATION SUBMITTED FOR PROPERTY LOCATED:

_____ 2418 E. MAIN ST. _____

3. NAME OF APPLICANT: Todd + Michelle Appelbaum

ADDRESS: 956 Jaeger ST. COL. OHIO 43206-2624

TELEPHONE NUMBER 614.444.4000

4. NAME OF OWNER: Jeffrey Schwartz, Trustee

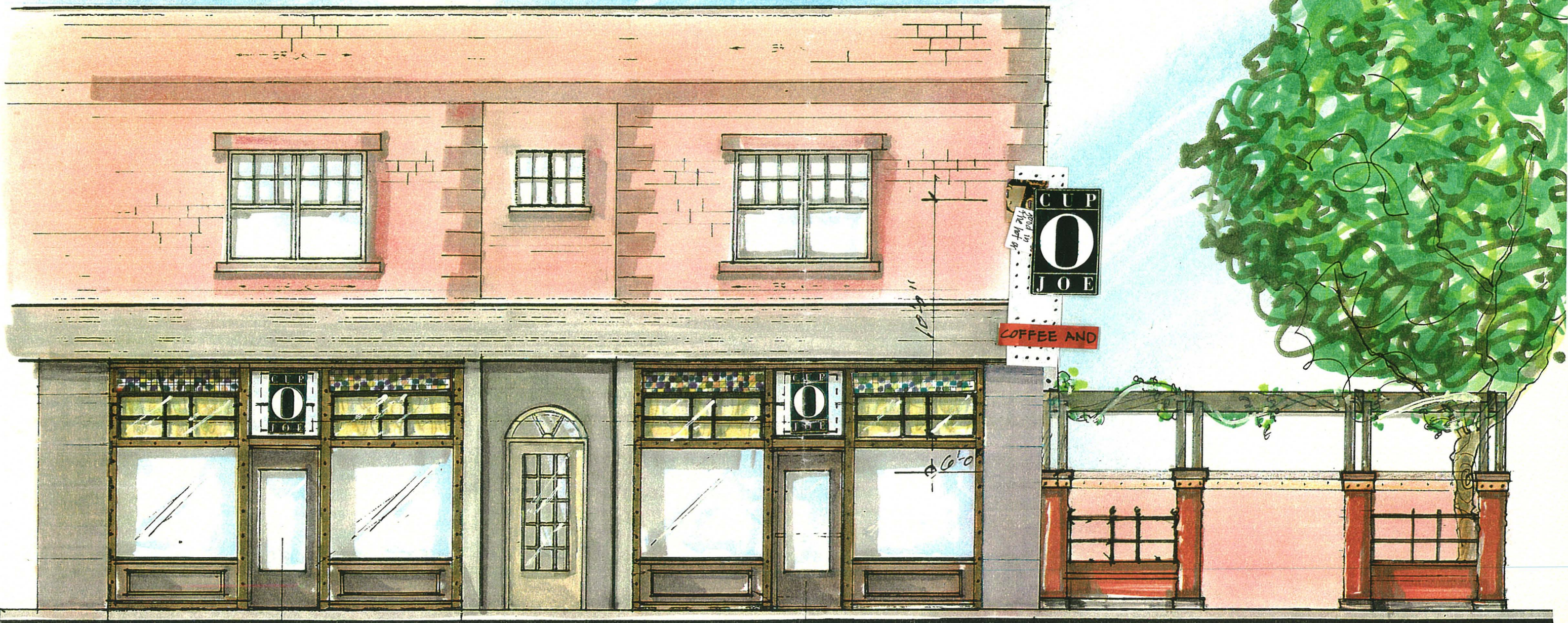
ADDRESS: 1794 E. Broad ST 43203

TELEPHONE NUMBER: 614.252.6485

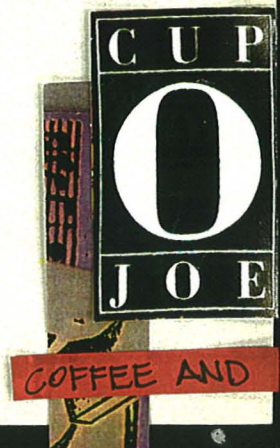
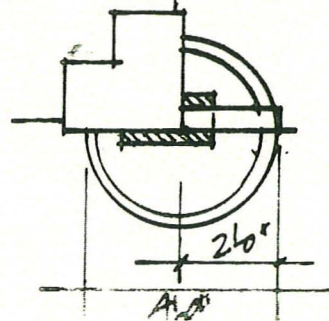
5. Narrative description of project (attached additional sheets, if necessary.)

_____ Add a patio on the side of the building (Facing Cassady) _____

6. IF THIS APPLICATION INVOLVES A VARIANCE, PLEASE EXPLAIN WHY THE VARIANCE IS NECESSARY. (Attach additional sheets, if necessary.)



○ SOUTH ELEVATION
1/4" = 1'-0"





BRICK

SECRET

BRICK DESIGN ON FACE

COPPER TRIM W/ WOOD CAP
BRICK DESIGN ON FACE

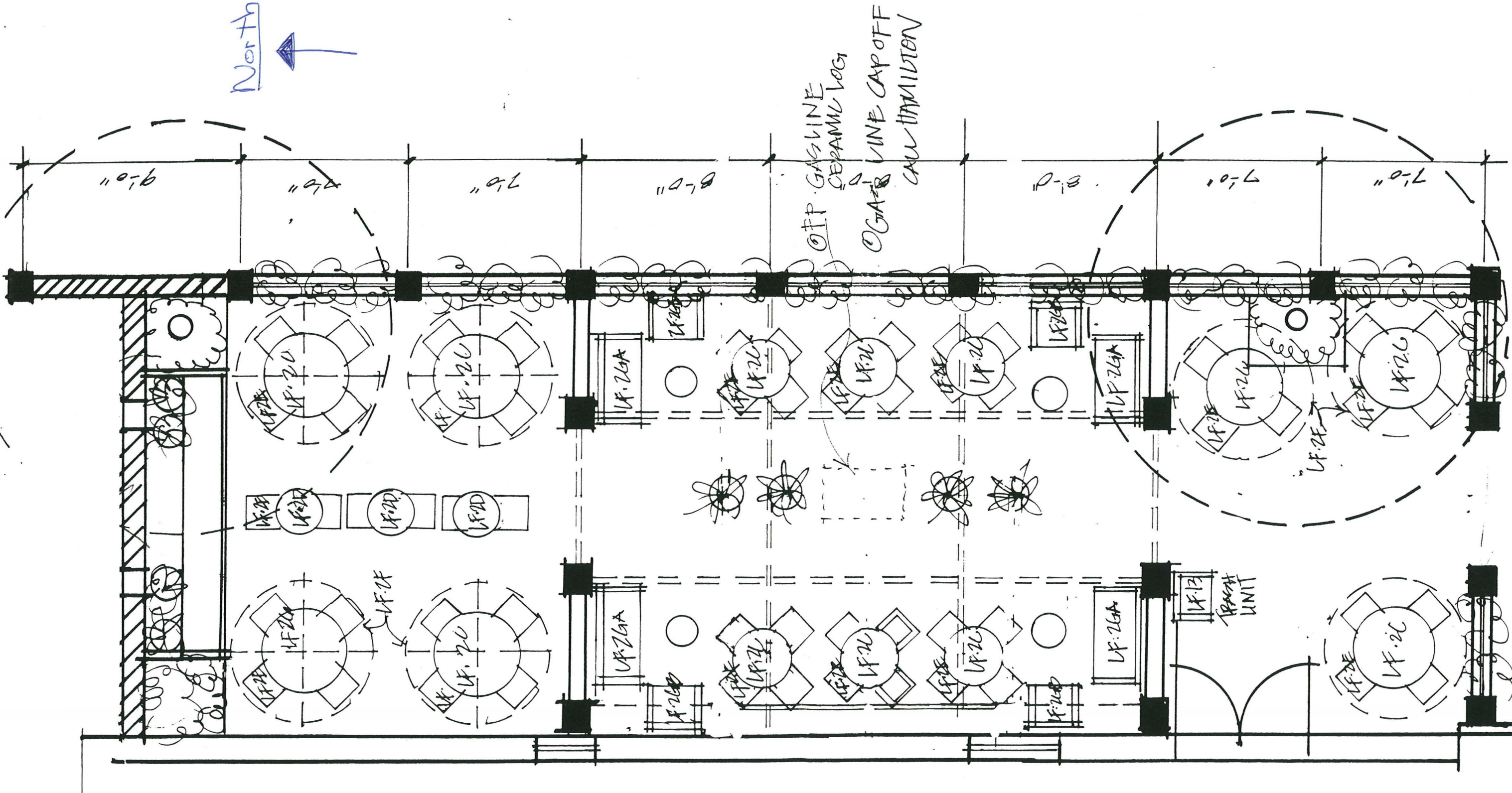
10'-0"

6'-0"

BRICK COLUMNS
15" x 15"

○ EAST ELEVATION
1/4" = 1'-0"

North ↑



GAPPEN PAUL
PA 2150

7.21.98 REVISED 6.2.98

ADD GATE
TO FRONT
FOR BID
W/ IRON FENCE

