

ORDINANCE NO. 69 - 05

By: Mr. Weber

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 owners at 2797 Powell Avenue (Lot No. 433; Ardmore 2) regarding improvements to be made upon and within the City owned street right-of-way adjacent to South Merkle Avenue.

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

Section 1. That the property owners at 2797 Powell Avenue (Lot No. 433; Ardmore 2) have requested approval to construct a 12 inch high retaining wall within the street right-of-way; said wall to be approximately 30' in length running parallel and adjacent to South Merkle Avenue.

Section 2. That the Mayor and Auditor be, and they hereby are, authorized to enter into a Consent and Hold Harmless Agreement with the property owners, 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 owners assume all responsibility for damage, loss and injury arising out of the location of said 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.

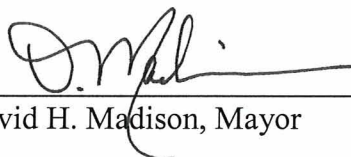
Passed: 7.18, 2005

Attest: 
Clerk of Council


President of Council

6/28/05 First Reading
7/12/05 Second Reading
7/18/05 Third Reading
Passed!

Approved: 7/18, 2005


David H. Madison, Mayor

Storm, Sewer, Sidewalks, Street
Services Existing in Easement/
Right-of-Way

July 18, 2005
Date of Agreement

Ordinance No. - 05
Approving Authority (Council)

July 18, 2005
Date of Agreement

This Agreement shall be binding on and for the benefit of the parties hereto and their respective successors and assigns.

STATE OF OHIO, COUNCIL OF FRANKLIN: SS:

The foregoing instrument was acknowledged before me this 20th day of July, 2005, by David H. Madison, Mayor of the City of Bexley, Ohio, and Coony Crullman, Auditor of the City of Bexley, Ohio.

Sara Chinnor
Witness

[Signature]
Mayor

Rhonda Parson
Witness

[Signature]
Auditor

Anita S. Foley
Notary Public

Anita S. Foley
Notary Public, State of Ohio
My Commission Expires July 23, 2008

STATE OF OHIO, COUNTY OF FRANKLIN: SS:

The foregoing instrument was acknowledged before me this 20th,
day of July, 2005, by Lori Sachs.

Aara Churchill
Witness

Lori Stan Sachs
Property Owner

Witness

Property Owner

Anita S. Foley
Notary Public

Anita S. Foley
Notary Public, State of Ohio
My Commission Expires July 23, 2008

APPLICATION NUMBER 54 CC
FILING FEE: \$ 50.00

CITY OF BEXLEY, OHIO

APPLICATION TO APPEAR BEFORE
BEXLEY CITY COUNCIL

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

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

2. APPLICATION SUBMITTED FOR PROPERTY LOCATED:

2797 Powell Ave

3. NAME OF APPLICANT:

Lori & Ed Sachs

ADDRESS: 2797 Powell Ave

TELEPHONE NUMBER 614-236-5157

4. NAME OF OWNER:

Same

ADDRESS:

TELEPHONE NUMBER:

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

Install 7 in' high, 30 feet long
retaining wall

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

see attached sheets

APPLICANT: Lou Sachs DATE 6-23-05
(Signature)

(NOTE: If the applicant is not the owner, a letter from the owner stating his or her approval of the application must be submitted with the application.)

June 23, 2005

Bexley City Council Members:

We are seeking permission to erect a 7 inch high, 30 foot long retaining wall to keep the dirt from washing away from the flower bed and onto the sidewalk.

In the picture you can see the eastern side of our chain link fence. When the grass in this bed was not growing well, we decided to enhance our property by pulling out the patchy grass and replace it with an attractive flower bed. The wall is necessary to keep the dirt from washing away onto the sidewalk. Dirt flowing would make it muddy for pedestrians and continual eroding would damage the plants.

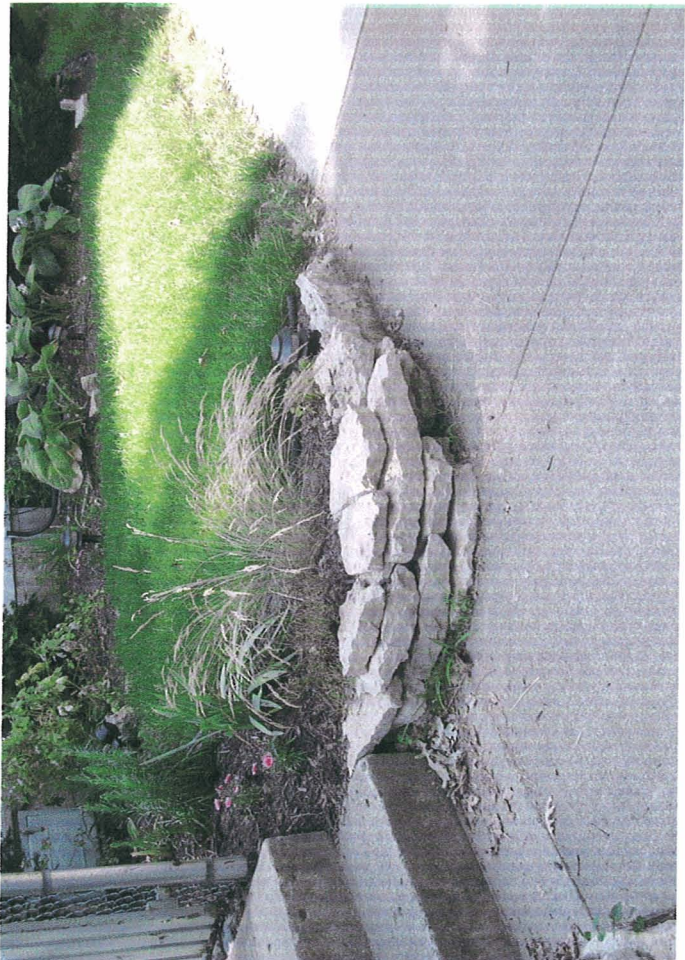
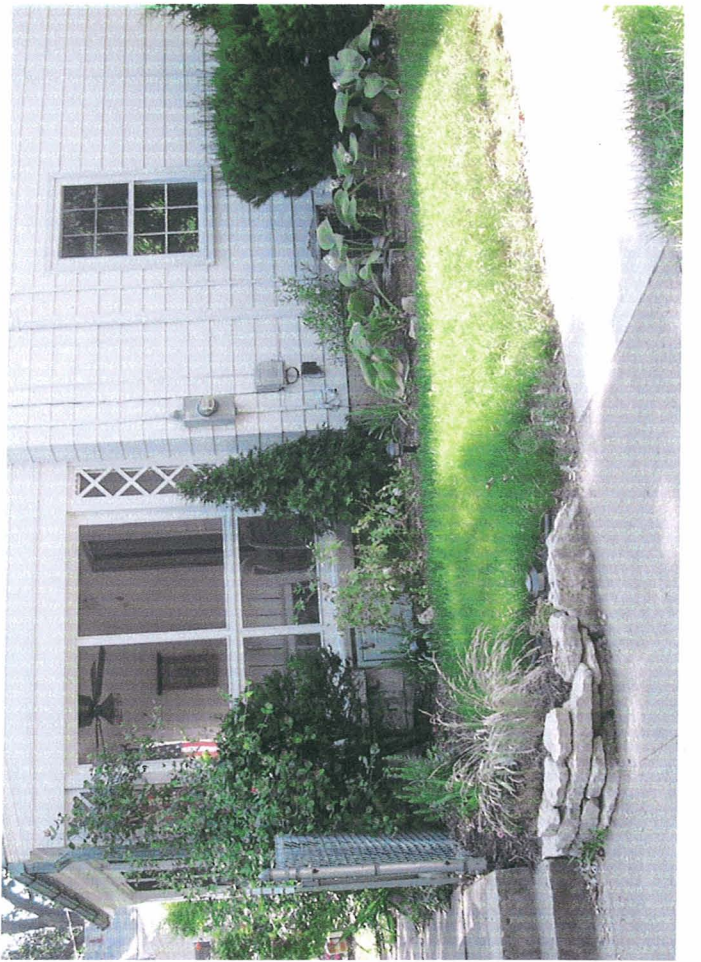
In two of the pictures you can see a small sample of what the wall would like. The small wall would be made out of Olen Valley Thin rocks purchased from Lang Stone. It would only have two layers of rocks, thus totaling the 7 inches described above. The pathway would be lit at the northern end.

As we drive and walk around Bexley we see that many people have walls such as the one we are describing. They are very attractive and we hope that we can do the same beautification for our own property. Thank you for considering our proposal to enhance our property and therefore, Bexley.

Sincerely yours,

Ed and Lori Sachs
2797 Powell Avenue
614-236-5157

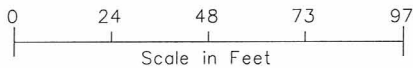
578.2345 cell





Maps and databases were supplied by the Franklin Co. Auditor's Office. MetaMAP, Inc. is in no way responsible or liable for the maps or databases. Any inquiries should be directed to the Franklin Co. Auditor's Office (614) 462-7272.

MapVUE



8:38
JUN 24, 2005

***** CITY OF BEXLEY *****
2242 E.MAIN STREET
BEXLEY, OHIO 43209

* * * * * CITY COUNCIL REVIEW * * * * *
* * * * *

Permit Date: 06/24/2005

App. No.: 54 CC

Address: 2797 POWELL AV

Scope of Work: COUNCILMATIC VARIANCE
Project: CITY COUNCIL

Owner: SACHS EDWARD M & LORI S
2797 POWELL AVE
COLUMBUS OH 43209

Telephone: - -

Applicant: OWNER
2797 POWELL AVE
COLUMBUS, BDBAST 43209

Telephone: - -

An application to request review upon payment of a fee
of \$ \$50.00 is hereby granted. Receipt number: 11287

Owner/Agent: EDWARD & LORI SACHS

Chief Building Official: _____ Date: _____

applicant audit file packet/Dorothy

* * * * *
Date of Review Meeting: _____

□

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 5:30 P.M., Monday, July 18, 2005, at Bexley City Hall, 2242 East Main Street, to consider adoption of Ordinance No. 69-05. This ordinance, if approved, will allow for the construction of a 12" high retaining wall in the side yard of 2797 Powell Avenue.

All interested persons are invited to attend.

