

ORDINANCE NO. 75-06

By: John B. Rohyans

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 258 N. Stanwood Road (Lot 479; Ardmore No. 2 Addition) regarding improvements made upon and within the City owned street right-of-way adjacent to Maryland Avenue.

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

Section 1. That the property owner at 258 N. Stanwood Road (Lot No. 479; Ardmore No.2) has requested approval to allow an existing 42" split rail fence within the street right-of-way; said fence is approximately 115' in length running parallel and adjacent to Maryland 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 owner, 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 owner assume all responsibility for damage, loss and injury arising out of the location of said fence 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: 11-14-06, 2006

Helen Mac Murray
President of Council

Attest: [Signature]
Clerk of Council

Approved: 11/14, 2006

[Signature]
David H. Madison, Mayor

10-10-06 First reading
10-24-06 Second reading
11/14/06 Third Reading
Passed

APPLICATION NUMBER 60007
FILING FEE: \$ 46.00

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:

258 N. Stanwood Rd

3. NAME OF APPLICANT:

Deborah A. Todd

ADDRESS:

258 N Stanwood Rd

TELEPHONE NUMBER

235-5709 OR 404-8870

4. NAME OF OWNER:

SAME AS APPLICANT

ADDRESS:

TELEPHONE NUMBER:

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

see attached -

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

APPLICANT:

Deborah A. Todd
(Signature)

DATE

8-12-06

PAID

(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.)

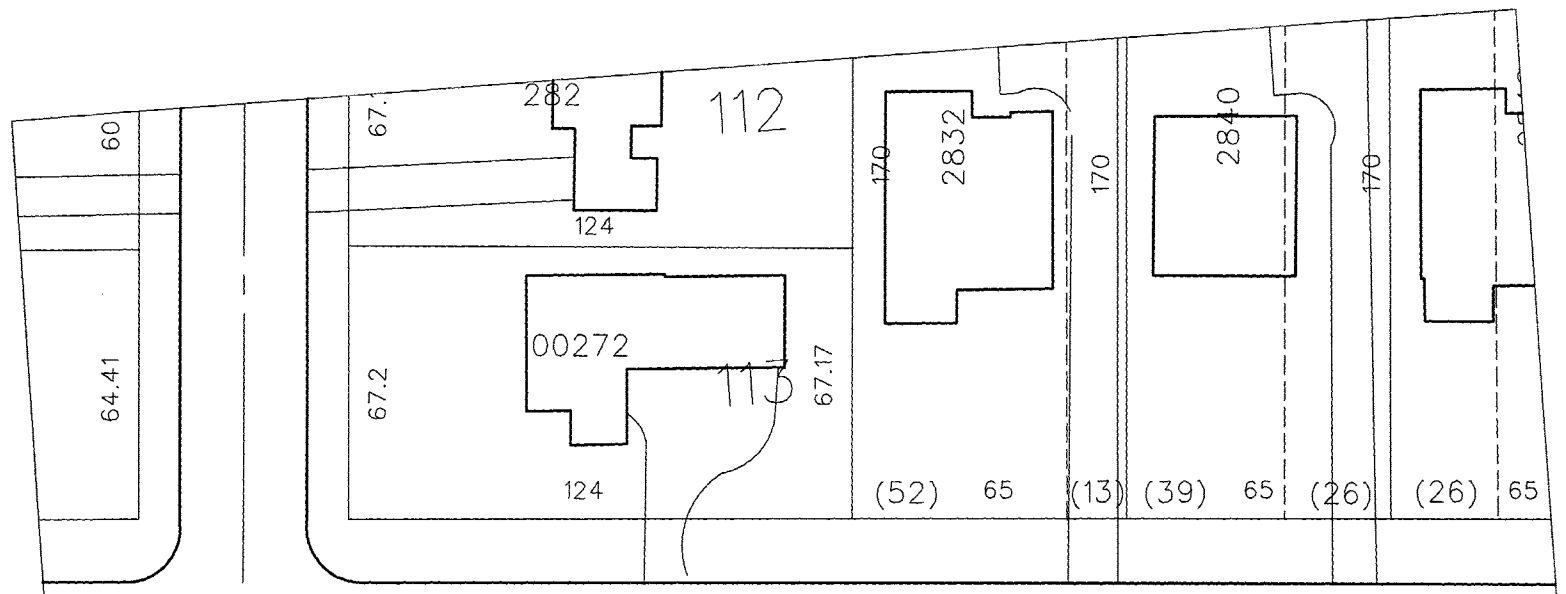
Request for Variance of Side Yard Property Set Back For Split Rail Fence

I am in the process of landscaping my back yard at 258 N. Stanwood Rd. There is a new planting bed that extends the full 100ft of my back property. The plants are in their first year and not fully established. When the kids walk home from Maryland Elementary they tend to walk in the new beds and sometimes even pull the leaves off the plants. While I assume this is not malicious, it has certainly affected the plants' chance of survival. Some of them have not even made it past the spring season. The split rail fence is at the edge of the sidewalk and has greatly reduced the temptation for kids to bother the new growth.

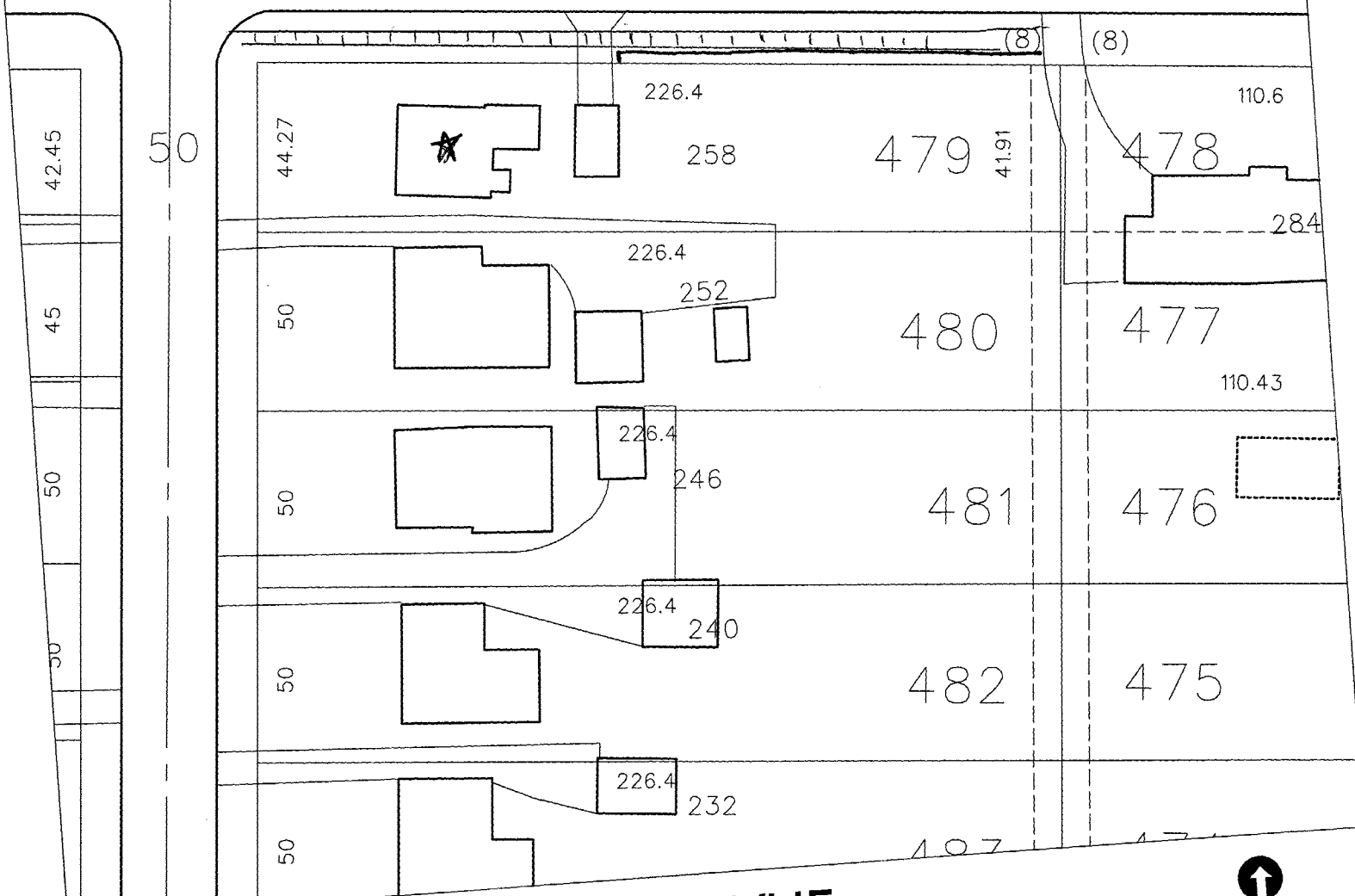
The fence in no way reduces visibility of drivers on Maryland Ave. Many people out on their daily or evening walks have complimented me on the appearance of the new fence. My neighbors have even thanked me for it for both aesthetic and safety reasons. (In the past, we have had trouble with people cutting through my yard and breaking into the storage shed that my neighbors have.)

If I were to build the fence at the setback as I understand it, it would be on the other side of the planting bed, providing no protection at all to the new landscaping, and narrowing my back yard to only 35ft by 100ft. I believe that would decrease the property's overall value in this neighborhood, since the other yards are 50 feet wide.

fence

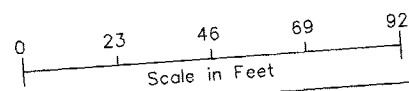


Maryland Avenue



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MapVUE

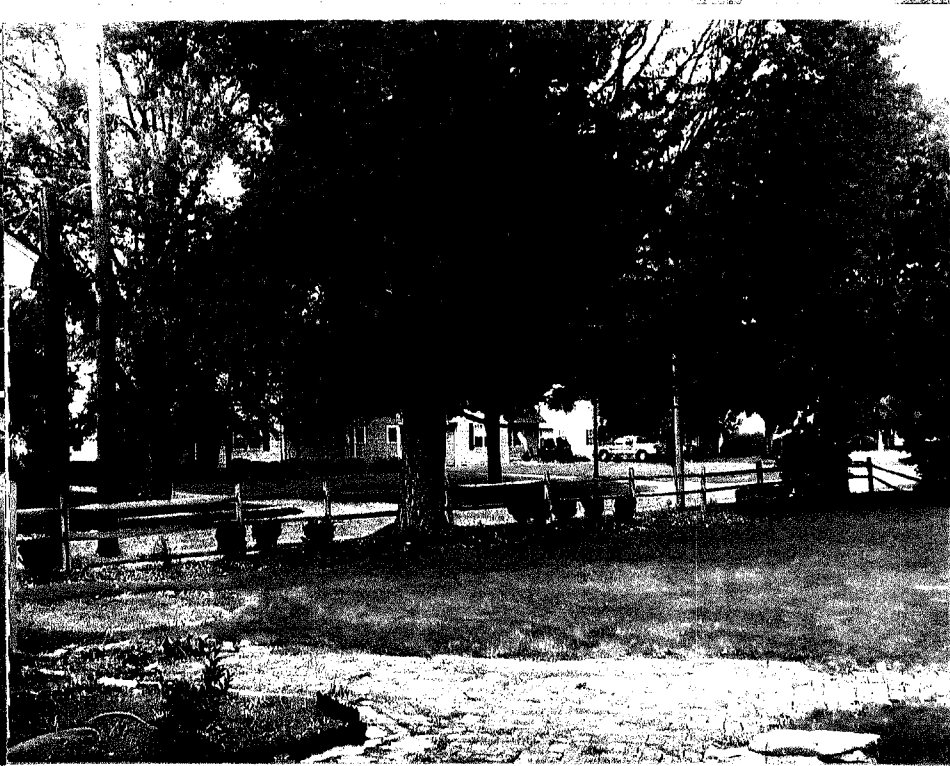
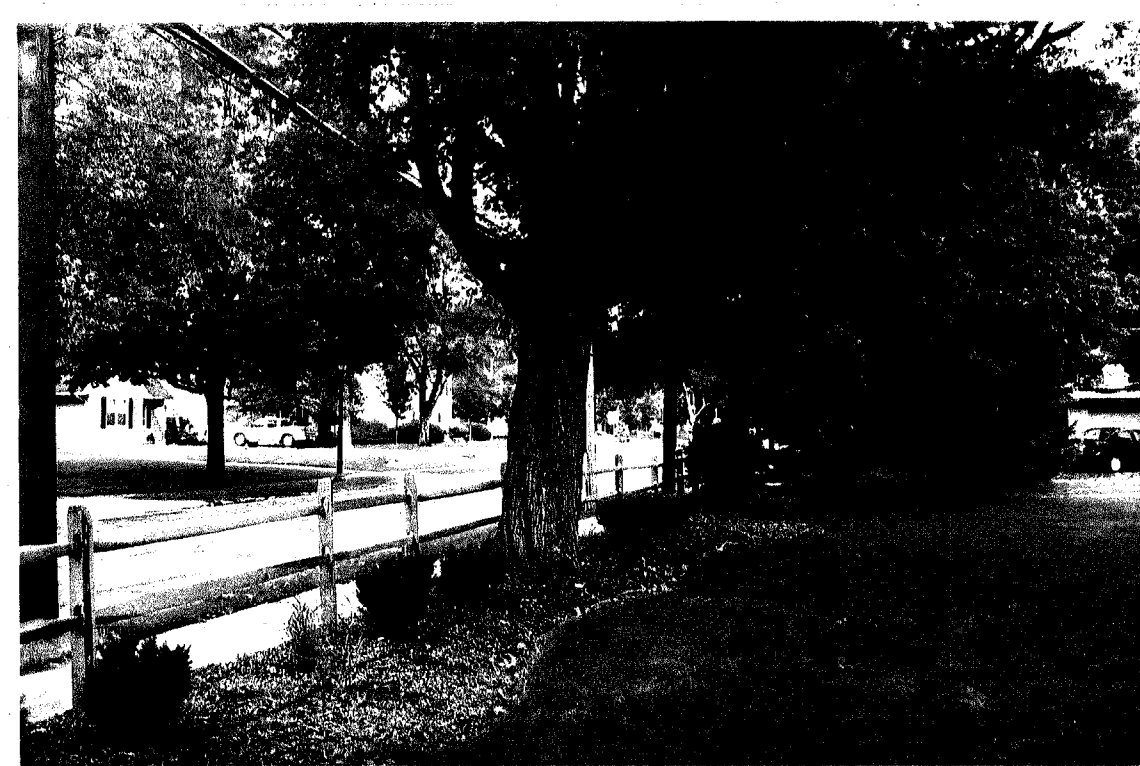


14:48
AUG 14, 2006



BEFORE





CURRENT

