

ORDINANCES PASSED

ORD. No. 1679-71—To accept the application for the annexation of certain territory containing 4.259± acres in Franklin Township.

Whereas, a petition for the annexation of certain territory in Franklin Township was duly filed by Robert L. Schirtzinger, et al.; and

Whereas, the said petition was duly considered by the Board of County Commissioners of Franklin County, Ohio, September 8, 1971; and

Whereas, the Board of County Commissioners has approved the annexation of the said territory to the City of Columbus as hereinafter described; and

Whereas, the Board of County Commissioners certified the transcript of the proceedings in connection with the said annexation with the map and petition required in connection therewith to the City Clerk who received the same on September 15, 1971; and

Whereas, sixty days from the date of said filing have now elapsed in accordance with the provisions of Section 709.04 of the Revised Code; and

Whereas, it is in the best interest of the City of Columbus to accept the annexation of the territory sought to be annexed by the aforesaid petition; now, therefore,

Be it ordained by the Council of the City of Columbus:

Section 1. That the proposed annexation as applied for in the petition of Robert L. Schirtzinger, et al., being the majority adult freeholders, residing in the territory sought to be annexed and filed with the Board of County Commissioners of Franklin County, Ohio, on June 24, 1971, in which said petitioners prayed for annexation to the City of Columbus, Ohio, of certain territory adjacent thereto as hereinafter described, and which said petition was approved for annexation to the City of Columbus by the Board of County Commissioners on September 8, 1971, be and the same is hereby accepted and said territory is hereby annexed to the City of Columbus. Said territory is described as follows:

Situated in the State of Ohio, County of Franklin, Township of Franklin, being a part of the Virginia Military Survey Number 875 and 3316, and being Lots of Pleasant View Acres, Recorded in Plat Book 20, Page 13, filed in the Recorder's Office, Court House, Franklin County, Ohio, and being 4.259 Acres Plus or Minus to be annexed to the City of Columbus, Ohio;

Beginning at a point in the West Property Line of Joromco Company, 47.735 Acre Tract, the West Right-of-way Line of Wilson Road and the existing City of Columbus Corporation Line, as established by Ordinance Number 1062-69, of the Council of the City of Columbus, Ohio, (for proceedings see Miscellaneous Records Volume Number 148, page 1, Recorder's Office, Franklin County, Ohio), said point of beginning being the South Property Line of Lot Number 29, owned by John and Pauline W. McClan, and the North Property Line of Lot Number 30, owned by BBF, Inc. (All lots being a part of the said Pleasant View Acres), said Property Lines being extended across Wilson Road from the East Right-of-way Line to the West Right-of-way Line of Wilson Road;

Thence Easterly crossing Wilson Road with the said Extended Property Lines of the said Lots Numbers 29 and 30, and the South Property Line of the Lot Number 29, the North Property Line of the said Lot Number 30, crossing El Paso Drive (50.0 feet in width), (said El Paso Drive being relocated), with the South Property Line of the West Half of Lot Number 26, owned by John and Pauline W. McClan, the South Property Line of the East Half of Lot Number 26, owned by Bernie Baker, and the North Property Line of Lot Number 32, owned by Robert L. Schirtzinger, a distance of approximately 517 feet plus or minus to the Northeast corner of the said Lot Number 32;

Thence Southerly with the East Property Line of the said Lot Number 32, the West Property Line of the West Half of Lot Number 33, owned by Richard P. Farley, et al., (3), crossing Lowell Drive,

(50.0 feet in width), the East Property Line of Lot Number 71, owned by Forest D. Johnson, the West Property Line of the West Half of Lot Number 70, owned by Creed Bates, Jr., a distance of approximately 486.0 feet plus or minus to the Southeast corner of the said Lot Number 71, the North Property Line of H. W. and M. K. Freeman, 4.218 Acre Tract, and also the pending Corporation Line of the City of Columbus, Ohio;

Thence Westerly with the said Pending Corporation Line of the City of Columbus, Ohio, the North Property Line of the said 4.218 Acre Tract, and the South Property Line of the said Lot Number 71, crossing an alley (20.0 feet in width), a distance of approximately 220.0 feet plus or minus to the Southeast corner of Lot Number 73, owned by GERAL J. and Bernice E. McIntire;

Thence Northerly with the said Pending Corporation Line, the West Right-of-way Line of the said alley, the East Property Line of the said Lot Number 73, and the East Property Line of Lot Number 72, owned by Standard Oil Company, a distance of approximately 218.0 feet plus or minus to the Northeast corner of the said Lot Number 72, and the South Right-of-way Line of the said Lowell Drive;

Thence Westerly with the said Pending Corporation Line, the North Property Line of the said Lot Number 72, and the South Right-of-way Line of the said Lowell Drive, a distance of approximately 200.0 feet, plus or minus to the East Right-of-way Line of the said Wilson Road, and the Northwest corner of said Lot Number 72;

Thence Northerly with the Existing Corporation Line of the City of Columbus, Ohio, as established by Ordinance Number 1612-70 of the Council of the City of Columbus, Ohio (for proceedings see Miscellaneous Records Volume 148, page 620, Recorder's Office, Franklin County, Ohio), a distance of approximately 55.0 feet plus or minus following the Present Corporation Line of the City of Columbus, Ohio;

Thence Westerly with the said Corporation Line of the City of Columbus, Ohio, crossing Wilson Road, a distance of approximately 80.0 feet plus or minus to the West Right-of-way Line of Wilson Road (the said West Right-of-way Line of Wilson Road being relocated);

Thence Northerly with the said Existing Corporation Line of the City of Columbus, Ohio, as established by the said Ordinance 1062-69, and the West Right-of-way Line of Wilson Road (relocated), the West Property line of Lot Number 5, owned by L. H. and Estella Clark, a distance of approximately 155.0 feet plus or minus to an angle point in the West Right-of-way Line of Wilson Road, and the said Corporation Line of the City of Columbus, Ohio;

Thence continuing Northerly with the said Corporation Line of the City of Columbus, Ohio, the West Right-of-way Line of Wilson Road, and the East Property Line of the said 47.735 Acre Tract, a distance of approximately 55.0 feet plus or minus to the place of beginning containing 4.259 Acres Plus or Minus to be Annexed to the City of Columbus, Ohio.

Section 2. That the City Clerk be and she is hereby authorized and directed to make three copies of this ordinance to each of which shall be attached a copy of the map accompanying the petition for annexation, a copy of the transcript of proceedings of the Board of County Commissioners relating thereto, and a certificate as to the correctness thereof. The City Clerk shall then forthwith deliver one copy to the County Auditor, one copy to the County Recorder, and one copy to the Secretary of State and shall notify the Board of Elections thereof, and do such other things as may be required by law.

Section 3. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed December 6, 1971.

WILLIAM P. HOERMLE,
President of Council.

Approved December 6, 1971.

M. E. SENSENBRENNER, Mayor.

Attest:
HELEN M. VAN HEYDE, City Clerk.

ORD. No. 1680-71—To establish the grades of Hollow Run Drive, Winding Hollow Drive, Brookline Avenue, Hollowcrest Avenue, Windingfield Street, Creekwood Avenue, Hollowwood Avenue and Rockledge Drive, between specified limits, in River Bend Section No. 5, in connection with the private improvement of the streets; and to approve plan and specifications therefor.

Be it ordained by the Council of the City of Columbus:

Section 1. That the grades of the following streets, between the limits specified, be and the same are hereby established as of record and shown on Plan 2491, Drawer D, on file in the Office of the City Engineer, Division of Engineering and Construction, which plan and specifications therefor are hereby approved:

Hollow Run Drive, from Alkire Road to Rivercrest Drive;

Winding Hollow Drive, from Alkire Road to Brookline Avenue;

Brookline Avenue, from Winding Hollow Drive to Hollow Run Drive;

Hollowcrest Avenue, from Winding Hollow Drive to Windingfield Street;

Windingfield Street, from Hollowcrest Avenue to Creekwood Avenue;

Creekwood Avenue, from Winding Hollow Drive to Windingfield Street;

Hollowwood Avenue, from Brookline Avenue to Hollow Run Drive;

Rockledge Drive, from Hollow Run Drive to a point 200' west of Ripple Brook Road.

Section 2. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed December 6, 1971.

WILLIAM P. HOERMLE,
President of Council.

Approved December 6, 1971.

M. E. SENSENBRENNER, Mayor.

Attest:
HELEN M. VAN HEYDE, City Clerk.

ORD. No. 1681-71—To establish the grades of Redford Avenue, Swallowfield Street, Aluaton Street, Heisley Drive, Breathitt Place, Breathitt Avenue and Jessamine Place, between specified limits in Southern Pines, Section No. 9, in connection with the private improvement of the streets; and to approve plan and specifications therefor.

Be it ordained by the Council of the City of Columbus:

Section 1. That the grades of the following streets, between the limits specified, be and the same are hereby established as of record and shown on Plan 2502, Drawer D, on file in the Office of the City Engineer, Division of Engineering and Construction, which plan and specifications therefor are hereby approved:

Redford Avenue, from Aluaton Street to Swallowfield Street;

Swallowfield Street, from Obetz Road to Redford Avenue;

Aluaton Street, from Redford Avenue to Breathitt Avenue;

Heisley Drive, from a point 339' east of Judson Road to Aluaton Street;

Breathitt Place, from a point 213' south of Breathitt Avenue to Breathitt Avenue;

Breathitt Avenue, from Aluaton Street to a point 115' east of Clabber Road;

Jessamine Place, from a point 400' south of Breathitt Avenue to Breathitt Avenue.

Section 2. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed December 6, 1971.

WILLIAM P. HOERMLE,
President of Council.

Approved December 6, 1971.

M. E. SENSENBRENNER, Mayor.

Attest:
HELEN M. VAN HEYDE, City Clerk.

ORD. No. 1682-71—To change the name of Carbondale Place as recorded in Walnut Bluff No. 3 to Carbondale Court.

Whereas, there is now a Carbondale Place in Walnut Bluff No. 1; and

Whereas, to avoid confusion, it is the sense of this Council the name change should be made; now, therefore,

Be it ordained by the Council of the City of Columbus:

Section 1. That the name of Carbondale Place as recorded in Walnut Bluff No. 3, be and the same is hereby changed to Carbondale Court, since there is now a Carbondale Place in Walnut Bluff No. 1.

Section 2. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed December 6, 1971.

WILLIAM P. HOERMLE,

President of Council.

Approved December 6, 1971.

M. E. SENSENBRENNER, Mayor.

Attest:

HELEN M. VAN HEYDE, City Clerk.

ORD. No. 1683-71—To accept Street Dedication Plat of Harrison Drive, Harrison Court and Harrison Road, Harrison Road Industrial Park.

Be it ordained by the Council of the City of Columbus:

Section 1. That the Street Dedication Plat of Harrison Drive, Harrison Court and Harrison Road, Harrison Road Industrial Park, situated in the State of Ohio, County of Franklin, City of Columbus and being part of Virginia Military Survey No. 530, containing 4,554 acres of land being 3,536 acres out of the 25,626 acre tract as conveyed to Harrison Road Industrial Park, an Ohio General Partnership, by deed recorded in Deed Book 3176, Page 621, and being 1,018 acres out of the original 22,813 acre tract as conveyed to Benjamin L. Zox, Trustee, by deed recorded in Deed Book 2802, Page 663, the above deeds being of record in the Recorder's Office, Franklin County, Ohio, and lying east of Hague Avenue and north of Harrison Road, be and the same is hereby accepted.

Section 2. That all or parts of the road, drive and court shown thereon and not heretofore dedicated be and the same are hereby dedicated to public use as such; and easements are reserved, where indicated on the plat, for the construction, operation and maintenance of all public and private utilities, above and beneath the surface of the ground and, where necessary, are for the construction, operation and maintenance of service connections to all adjacent lots and lands and for storm water drainage.

Section 3. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed December 6, 1971.

WILLIAM P. HOERMLE,

President of Council.

Approved December 6, 1971.

M. E. SENSENBRENNER, Mayor.

Attest:

HELEN M. VAN HEYDE, City Clerk.

ORD. No. 1684-71—To accept the warranty deed of Heartland Investments Ltd., Co., dated October 12, 1971; to dedicate premises therein conveyed to the City of Columbus to public use; and to name same Innis Road.

Be it ordained by the Council of the City of Columbus:

Section 1. That the warranty deed of Heartland Investments Ltd., Co., dated October 12, 1971, for the hereinafter described real estate, be and the same is hereby accepted and the premises so deeded to the City of Columbus be and the same are hereby dedicated to public use for roadway purposes:

Situated in the Quarter Township 2, Township 1 North, Range 17 West, United States Military Lands, in the City of Columbus, County of Franklin, State of Ohio, and being a portion of Lot Number Two (2) in partition proceedings in the case of Jerome Patterson vs. Louisa Phelps, et al., of record in Complete Record Book 95, Page 561, Common Pleas Court, Franklin County, Ohio, the tract intended to be described also being a portion of a 7.158 acre tract of land conveyed to Thelma Bazewick, et al., by deed of record in Deed Book 3002, Page 539, Recorder's Office, Franklin County, Ohio, and bounded and described as follows:

Beginning at a railroad spike in the centerline of Innis Road at the southwest corner of said 7.158 acre tract and at the southeast corner of a 1.037 acre tract of land conveyed to Earl J. and Lucy A.

Van Gundy by deed of record in Deed Book 1721, Page 171, Recorder's Office, Franklin County, Ohio, said point being N 86° 14' 29" W. along the centerline of Innis Road a distance of approximately 353.5 feet from the west line of Lot No. 3 of said proceedings;

Thence N 3° 51' 31" E along a portion of the east line of said 1.037 acre tract and along a portion of the west line of said 7.158 acre tract a distance of 40.00 feet to an iron pin;

Thence S 86° 14' 29" E parallel with and 40.00 feet northerly by perpendicular measurement from the centerline of Innis Road and from the south line of said 7.158 acre tract a distance of 220.30 feet to an iron pin;

Thence S 4° 16' 24" W parallel with the east line of said 7.158 acre tract a distance of 40.00 feet to a railroad spike in the centerline of Innis Road and in the south line of said 7.158 acre tract;

Thence N 86° 14' 29" W along the centerline of Innis Road and along a portion of the south line of said 7.158 acre tract a distance of 220.00 feet to the place of beginning, containing 0.202 acre of land more or less.

Section 2. That the premises so deeded and dedicated be and the same are hereby named Innis Road.

Section 3. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed December 6, 1971.

WILLIAM P. HOERMLE,

President of Council.

Approved December 6, 1971.

M. E. SENSENBRENNER, Mayor.

Attest:

HELEN M. VAN HEYDE, City Clerk.

ORD. No. 1685-71—To authorize and direct the Director of Public Service to enter into agreement with M. M. Doeringer for office space rental at Port Columbus.

Whereas, office space is available at Port Columbus at 4920 East Fifth Avenue for the use of Mr. Doeringer.

Be it ordained by the Council of the City of Columbus:

Section 1. That the Director of Public Service be and he is hereby authorized to enter into an agreement with M. M. Doeringer, 4920 East Fifth Avenue, Columbus, Ohio, for the rental of 362 square feet of office space for a two year period commencing December 1, 1971, and at an annual rental of \$995.50 payable at rate of \$83.00 per month.

Section 2. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed December 6, 1971.

WILLIAM P. HOERMLE,

President of Council.

Approved December 6, 1971.

M. E. SENSENBRENNER, Mayor.

Attest:

HELEN M. VAN HEYDE, City Clerk.

ORD. No. 1686-71—To grant a variance from the provisions of Section 3325.01 and Section 3375.02 (j) (AR-1) to Charles O. Weibacher, owner of 729 S. Third Street.

Whereas, this property is located at 729 S. Third Street in the City of Columbus and at the Northwest corner of South Third Street and Frankfort Street, and

Whereas, Charles O. Weibacher is proposing to remodel the existing commercial structure into a one-story legal professional building, conforming in design to the architectural guides of German Village, and

Whereas, the applicant will be able to provide seven (7) off-street parking spaces on site, and

Whereas, the German Village Commission has reviewed and recommended the approval of this variance at its November 9, 1971 meeting, subject to the conditions in Section 2 of the following ordinance, and

Whereas, the zoning code prohibits the Division of Zoning from issuing a Certificate of Zoning Clearance for the remodeling of this commercial structure into a professional building; now, therefore,

Be it ordained by the Council of the City of Columbus:

Section 1. That Charles O. Weibacher, the owner of the existing one-story commercial building located at 729 South Third Street, Columbus, Ohio (also known as 51.75 feet off the East side of Lot Ten

(10) in C. F. Jaeger's First Addition to the City of Columbus, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 33, page 11, Recorder's Office, Franklin County, Ohio) be and hereby is granted a variance from the provisions of Section 3325.01 (AR-1) Apartment-Residential District, and Section 3375.02 (j), of the Columbus City Codes; insofar as said Section prohibits the establishment of a legal professional office building and parking lot in a residential district and therefore prevents Charles O. Weibacher from remodeling and establishing an attorney's law office and parking lot, subject, however, to the additional conditions listed in this Ordinance.

Section 2. That this variance is conditioned upon and is in effect only for so long as:

1) Said property is owned and used by Charles O. Weibacher as an attorney's office.

2) That the operation of this attorney's law office will be reviewed by the Division of Zoning annually for a two-year period.

3) There will be a physical expansion of the existing structure not to exceed fifteen (15) feet on the south side thereof, and interior and exterior remodeling will be permitted as approved by the German Village Commission and its Certificate of Appropriateness approved on November 9, 1971.

4) That only one sign with a maximum area of 2 square feet be erected subject to the approval of the German Village Commission.

5) That the applicant will create an off-street parking space for seven (7) vehicles.

6) That this variance shall become void if the attorney's law office has not been initiated within one year from the date upon which this Ordinance becomes effective.

Section 3. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed as amended December 6, 1971.

WILLIAM P. HOERMLE,

President of Council.

Approved as amended December 6, 1971.

M. E. SENSENBRENNER, Mayor.

Attest:

HELEN M. VAN HEYDE, City Clerk.

ORD. No. 1731-71—To grant a variance from the provisions of Section 3323.05 (SR-Suburban Residential) to Dr. Mark Panitch, owner of 1356 Elderwood Avenue.

Whereas, Dr. Mark Panitch is the owner of 1356 Elderwood Avenue, Columbus, Ohio, and

Whereas, Dr. Mark Panitch is proposing to establish his doctor's office in his residence at said address, and

Whereas, the health condition of Dr. Panitch is necessary for him to share his practice with another doctor who would also occupy this office, and

Whereas, the Zoning Code prohibits the Division of Zoning from issuing a Certificate of Zoning Clearance for the establishment of an office for two doctors in a residential district; now, therefore,

Be it ordained by the Council of the City of Columbus:

Section 1. That Dr. Mark Panitch, the owner of 4201 East Livingston Avenue, Columbus, Ohio, (also known as Lot No. 1 of Livingston Gardens Subdivision), be and hereby is granted a variance from the provisions of Section 3323.05 (SR) Suburban Residential District of the Columbus City Codes, 1959, insofar as said Section prohibits the establishment of a nonresident doctor's office in a residential district and therefore prevents Dr. Mark Panitch and another doctor, sharing his practice, from establishing their office in the residence at 1356 Elderwood Avenue, subject, however, to the additional conditions listed in this ordinance.

Section 2. That this variance is conditioned upon and is in effect only so long as:

1. Said property is owned and maintained by Dr. Mark Panitch and an affiliate doctor as a doctor's office and utilized only for those uses permitted in the SR-Suburban Residential District.

2. There will be no additions or exterior changes made to the existing residence nor any interior changes that will render the existing residential structure unoccupiable as a single family residence in the future.

3. That a 2 sq. ft. sign may be erected, projecting not more than 4 feet in front of the existing residence.