

March 4, 1972

Said property is owned and operated by the Northwest Swim Club, Inc. and utilized for the uses and purposes heretofore set forth.

At no signs that are visible from the property shall be erected anywhere on the property except that one (1) sign not to exceed twelve (12) square feet in area shall be permitted at or near the vehicular entrance to the property.

That a twenty (20) foot wide vehicular ingress and egress driveway shall be located at the westerly edge of the property.

At least a ten (10) foot wide buffer strip is maintained along the West, North, and East boundaries of the property; and at least a twenty-five (25) foot wide set back area is maintained beginning at the current or future Bethel Road right-of-way line and proceeding North therefrom.

The uses permitted herein do not disturb or unreasonably interfere with the residential character of the neighborhood.

This release from the provisions of the Columbus City Codes, 1959, pertaining to any other than the specific sections cited in this ordinance or conditions established herein.

This variance shall become null and void if the construction of the proposed use has not commenced in a two (2) year period beginning at the effective date of this ordinance.

Full compliance is made with this ordinance and this ordinance remains in effect.

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

Passed February 28, 1972.

M. D. PORTMAN,
President of Council.

Approved February 29, 1972.
TOM MOODY, Mayor.

Attest:
HELEN M. VAN HEYDE, City Clerk.

ORD. No. 190-72—To grant a variance from the provisions of Section 3325.01 (AR-1) of the Columbus City Codes, 1959, pertaining to signs of 1691 to 1701 Sullivan Avenue.

Whereas, this property is located on the southwest corner of Sullivan Avenue and Helen Street and known as 1691 through 1701 Sullivan Avenue, Columbus, Ohio.

Whereas, Section 3325.01 (AR-1) of the Zoning Code prohibits the establishment of professional law offices and insurance and advertising signs relating thereto; therefore:

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

Section 1. That Vern E. Davis and Peggy Ann Davis, the owners of the existing apartment building located at 1691-1701 Sullivan Avenue, Columbus, Ohio (also known as Lot 9, 10 and 11 of Bert Walter's Sullivan Avenue Subdivision of part of Lot Number thirty-three (33) of M. L. Sullivan's Subdivision of Farm Lands in Franklin Township, Franklin County, Ohio, Plat Book 7, page 208, 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 of the Columbus City Codes, 1959; insofar as said section prohibits the establishment of a professional or law office in a residential district and therefore prevents Vern E. Davis, Attorney at Law, from establishing a law office and title insurance office on the first floor of said premises, including a sign for same covering apartments and offices used under the supervision of Vern E. Davis; subject, however, to the additional conditions listed in this office.

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 Vern E. Davis and one other lawyer as a first-floor law office and title insurance office, all being supervised by Vern E. Davis, and utilized otherwise for those uses permitted in AR-1, Apartment-Residential District.

2. That the operation of this law office and title insurance office on the first floor be reviewed by the Division of Zoning annually for a two-year period.

3. There will be no physical expansion of the existing residential structure, but interior remodeling will be permitted and a sign permitted to be erected.

4. That the use of the first floor will be for law offices and the title insurance office, supervised by Vern E. Davis, and

shall not include any retail operations or any commercial sales venture.

5. That only one panel sign with a maximum size of 6 x 5 feet shall be erected on the premises.

6. The operation of the law offices and title insurance office permitted herein does not disturb or unreasonably interfere with the residential nature of the neighborhood.

7. That this variance shall become void if the law offices and title insurance office and sign have 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 February 28, 1972.

M. D. PORTMAN,
President of Council.

Approved as amended February 29, 1972.
TOM MOODY, Mayor.

Attest:
HELEN M. VAN HEYDE, City Clerk.

ORD. No. 191-72—To accept deed of easement from trustees of Penn Central Transportation Company for easements in connection with the Whittier Street Grade Separation; and to name premises Whittier Street.

Whereas, the instrument vesting title in the name of the City of Columbus has been secured by the Land Acquisition Division, and

Whereas, such instrument should be accepted by the City of Columbus; now, therefore,

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

Section 1. That the following instrument recorded in the Franklin County Recorder's Office, for land acquired for the Whittier Street Grade Separation, be and the same is hereby accepted and the premises be and the same are hereby dedicated to public use for highway purposes:

WHITTIER STREET GRADE SEPARATION, No. 30899, Volume 3197, Pages 213, 214 and 215, Deed of Easement, George P. Baker, Richard C. Bond, Jervis Langdon, Jr. and Willard Wirtz, Trustees, Penn Central Transportation Company, Parcels Nos. 4 and 7.

Passed February 28, 1972.

M. D. PORTMAN,
President of Council.

Approved February 29, 1972.
TOM MOODY, Mayor.

Attest:
HELEN M. VAN HEYDE, City Clerk.

ORD. No. 192-72—To vacate the alley north of Fifth Avenue and the alley west of Calenton Avenue, between specified limits, in former Jane Croughton and Anne Callender Subdivision.

Whereas, City Council, by Ordinance No. 274-29, passed April 8, 1929, vacated streets and alleys in Jane Croughton and Anne Callender Subdivision, before the new Gypsyland Subdivision was laid out, and

Whereas, part of the alley north of Fifth Avenue and the alley west of Calenton Avenue were inadvertently omitted in the vacation ordinance, and

Whereas, to clear title of lots involved, it has been requested the balance of the alley north of Fifth Avenue and the alley west of Calenton Avenue be vacated, and

Whereas, Council, upon hearing, is satisfied there is good cause for the vacations, that they will not be detrimental to the general interests and ought to be made; now, therefore,

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

Section 1. That the alley north of Fifth Avenue (15' wide), extending from the west line of Lot No. 8 to western terminus, and the alley west of Calenton Avenue, extending from the north line of the alley north of Fifth Avenue to the south line of the second alley north of Fifth Avenue, all in former Jane Croughton and Anne Callender Subdivision, and inadvertently omitted in Ordinance No. 274-29, passed April 8, 1929, vacating streets and alleys in the subdivision, before the new Gypsyland Subdivision was laid out.

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

Passed February 28, 1972.

M. D. PORTMAN,
President of Council.

Approved February 29, 1972.
TOM MOODY, Mayor.

Attest:
HELEN M. VAN HEYDE, City Clerk.

ORD. No. 193-72—To accept the plat of Rainier Avenue Extension.

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

Section 1. That the plat of Rainier Avenue Extension, situated in the State of Ohio, County of Franklin, City of Columbus, being part of Quarter Township 3, Township 2, Range 17, United States Military Lands, containing 1,116 acres of land, more or less, 0.555 acres of said 1.116 acres being a part of that 7,394 acres of land as described in a deed to John J. Hohl and Margaret A. Hohl of record in Deed Book 3136, Page 361 and 0.561 acres of said 1.116 acres being a part of that 54,621 acre tract of land as described in a deed to Granville Square Company of record in Deed Book 3075, Page 417, both being of record in the Recorder's Office, Franklin County, Ohio, being a subdivision lying south of Cooper Road and west of State Route 3, be and the same is hereby accepted.

Section 2. That all or part of the avenue shown thereon and not heretofore dedicated be and the same is hereby dedicated to public use as such.

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

Passed February 28, 1972.

M. D. PORTMAN,
President of Council.

Approved February 29, 1972.
TOM MOODY, Mayor.

Attest:
HELEN M. VAN HEYDE, City Clerk.

ORD. No. 195-72—To appropriate and certify the additional sum of \$17,549.88 to Contract No. 302723, with The Fritz-Rumer-Cooke Company, for Repairs to North High Street Bridge Sidewalk (West Side). (\$17,549.88)

Whereas, pursuant to proper authority of Council, Contract No. 302723 was entered into on June 28, 1971, for repairs to North High Street Bridge Sidewalk, (West Side), and \$34,425.00 appropriated to pay the cost and

Whereas, upon removal of the deteriorated concrete sidewalk, twelve additional steel cross frames, 14 feet long, were discovered loose and in danger of falling to the railroad track level below, and the curb girder and edge girder flanges were rusted through, precluding support for the sidewalk bar joists, as originally planned, and

Whereas, this condition was impossible to determine at the time of plan preparation due to the old and deteriorated state of the structure, and

Whereas, it was immediately necessary to lift out and replace the loose cross frames, repair the steel flanges and add necessary concrete to facilitate these repairs, greater quantities of structural steel, reinforcing steel and concrete being used to complete the work in a safe and expeditious manner over and above the quantities originally estimated, and

Whereas, this work was duly accomplished, measured and certified for payment and by reason thereof, the contract price of \$34,425.00 has been exceeded by \$17,549.88, and

Whereas, additional monies should be appropriated to the contract to pay the contractor for the work performed; now, therefore,

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

Section 1. That for the purpose of paying the final estimate due the contractor, The Fritz-Rumer-Cooke Company, on Contract No. 302723, for Repairs to North High Street Bridge Sidewalk, West Side, the additional sum of \$17,549.88 be and the same is hereby appropriated from Engineering Improvement Bond Series No. 321, Fund 5265, Code 600 (Division 650).

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

Passed February 28, 1972.

M. D. PORTMAN,
President of Council.

Approved February 29, 1972.
TOM MOODY, Mayor.

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Whereas, upon removal of the deteriorated concrete sidewalk, twelve additional steel cross frames, 14 feet long, were discovered loose and in danger of falling to the railroad track level below, and the curb girder and edge girder flanges were rusted through, precluding support for the sidewalk bar joists, as originally planned, and

Whereas, this condition was impossible to determine at the time of plan preparation due to the old and deteriorated state of the structure, and

Whereas, it was immediately necessary to lift out and replace the loose cross frames, repair the steel flanges and add necessary concrete to facilitate these repairs, greater quantities of structural steel, reinforcing steel and concrete being used to complete the work in a safe and expeditious manner over and above the quantities originally estimated, and

Whereas, this work was duly accomplished, measured and certified for payment and by reason thereof, the contract price of \$34,425.00 has been exceeded by \$17,549.88, and

Whereas, additional monies should be appropriated to the contract to pay the contractor for the work performed; now, therefore,

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

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