

**City of Columbus**  
**City Bulletin Report**

Office of City Clerk  
90 West Broad Street  
Columbus OH 43215-9015  
columbuscitycouncil.org

**Legislation Number:** 1616-2025

**Drafting Date:** 6/4/2025

**Version:** 1

**Current Status:** Passed

**Matter** Ordinance  
**Type:**

### **1. Background**

The City of Columbus, Department of Public Service, Division of Infrastructure Management, received a request from the site owner, GWINNE LTS 9-12 & MRKT, MHWK URBN RNWL PLT#2 LT 1, & 20'VAC PRIVATE ALLEY, asking that the City allow building elements to remain encroaching into the public right-of-way. The existing encroachments consist of steps, building face, and roof overhang found to extend into the right-of-way during the remodel project at the site, 132 S. 3rd Street. This building is listed on the Columbus Register of Historic Properties, and has been in place for over 160 years. This project is a remodel of this building and will add a structure to the south side and provide ADA access. This building was built in the 1860s and the building elements were recently found to extend into the public right-of-way as described below and shown on the attached exhibit.

The following legislation authorizes the Director of the Department of Public Service to execute those documents necessary for the City to grant these encroachments and legally allow the building steps, building face, and roof overhang to remain extended into the public rights-of-way. Allowing these elements to extend into the public right-of-way will enhance the building and keep the original design. A value of \$500.00 for the encroachment easements was established.

### **2. Fiscal Impact**

The City will receive a total of \$500.00, to be deposited in Fund 7748, Project P537650, for granting the requested encroachments.

To authorize the Director of the Department of Public Service to execute those documents necessary for the City to grant encroachments to legally allow building steps, building face, and roof overhang to remain extended into the public rights-of-way located at 132 S. 3rd Street. (\$0.00)

**WHEREAS**, the City of Columbus, Department of Public Service, Division of Infrastructure Management, received a request from the property owner, GWINNE LTS 9-12 & MRKT, MHWK URBN RNWL PLT#2 LT 1, & 20'VAC PRIVATE ALLEY, asking that the City allow the above noted building elements at 132 S. 3rd Street to remain encroaching into the public right-of-way; and

**WHEREAS**, 132 S. 3rd Street is a historic building listed on the Columbus Register of Historic Properties, and has been in place for over 160 years. These encroachments are located within the right-of-way as indicated above and as described below and shown on the attached exhibit; and

**WHEREAS**, a value of \$500.00 was established for the encroachment easements to be deposited into fund 7748, Project P537650; **NOW, THEREFORE**,

### **BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:**

**Section 1.** That the Director of the Department of Public Service hereby authorized to execute those documents necessary for the City to grant these encroachments and legally allow them to extend into the public

rights-of-way, site owner, GWINNE LTS 9-12 & MRKT, MHWK URBN RNWL PLT#2 LT 1, & 20'VAC PRIVATE ALLEY, and attached exhibit; to-wit:

**3 Dimensional Encroachment Easement**  
**0.005-ACRE (227.6 SQ. FT.) VERTICAL ENCROACHMENT EASEMENT**  
**FROM ELEVATION 755.50' TO 844.00' (NAVD 88)**

Situated in the State of Ohio, County of Franklin, City of Columbus, and being part of the existing right of way of Chapel Street (originally platted as Sugar Alley, 33' Wide) and Third Street (82.5' Wide) as dedicated in the recorded plat of The Town of Columbus (Plat Book F, Page 332, destroyed by fire and subsequently re-recorded in Plat Book 3, Page 247), all records of the Recorder's Office, Franklin County, Ohio and being further described as follows:

**Beginning** at the intersection of the existing southerly right of way of Chapel Street and the existing easterly right of way of Third Street, said point also being the northwesterly corner of Lot 12 of E.W. Gwynn's Subdivision of Inlots 556-557 & 558 (Plat Book 1, Page 124) and the northwesterly corner of a 0.447-acre tract as conveyed to The Columbus Association for the Performing Arts by deed of record in Instrument 201306060093466;

Thence along the existing easterly right of way of Third Street, the westerly line of Lot 12 and the westerly line of said 0.447-acre tract, **South 08° 07' 30" East** for a distance of **27.87 feet** to a point, between elevations 755.50' and 844.00';

Thence across the existing right of way of Third Street and Chapel Street for the following six (6) courses:

1. Perpendicular to the existing easterly right of way of Third Street, **South 81° 52' 30" West** for a distance of **1.75 feet** to a point, between elevations 755.50' and 844.00';
2. Continuing perpendicular to the existing easterly right of way of Third Street, **South 81° 52' 30" West** for a distance of **3.25 feet** to a point, between elevations 755.50' and 759.50';
3. Parallel to and 5.00 feet westerly of the existing easterly right of way Third Street, **North 08° 07' 30" West** for a distance of **30.87 feet** to a point, between elevations 755.50' and 759.50';
4. Parallel to and 3.00 feet northerly of the existing southerly right of way of Chapel Street, **North 81° 52' 30" East** for a distance of **29.41 feet** to a point, between elevations 755.50' and 759.50';
5. Perpendicular to the existing southerly right of way of Chapel Street, **South 08° 07' 30" East** for a distance of **1.25 feet** to a point, between the elevations of 755.50' and 759.50';
6. Continuing perpendicular to the existing southerly right of way of Chapel Street, **South 08° 07' 30" East** for a distance of **1.75 feet** to a point on the existing southerly right of way of Chapel Street, the northerly lot line of Lot 12 and the northerly line of said 0.447-acre tract, between elevations 755.50' and 844.00';

Thence along the existing southerly right of way of Third Street, the northerly line of Lot 12 and the northerly line of said 0.447-acre tract, **South 81° 52' 30" West** for a distance of **24.41 feet** to the **Point of Beginning**, between elevations 755.50' and 844.00', and containing **0.005 acres (227.6 sq. ft.)**, more or less, and subject to all other legal easements and rights of way.

The above-described area shall encompass the existing concrete steps, building façade and building pilasters located at the northwest corner of the building situated at 132 S. Third St. The vertical limits are specifically identified as being from elevation 755.50' to 844.00'. The existing sidewalk elevation adjacent to the building/steps at grade is 757.4'±.

Bearings are based on the existing easterly right of way of Third Street being S 08° 07' 30" E, as referenced to State Plane Coordinates, Ohio South Zone NAD83 with 2011 NSRS Adjustment.

Elevations are based on North American Vertical Datum of 1988 (NAVD 88).

**Section 2.** That the City Attorney is required to approve all instrument(s) associated with this ordinance prior to the director of the Department of Public Service executing and acknowledging any of those instrument(s).

**SECTION 3.** That the City will receive a total of \$500.00 for granting the encroachment easements, to be deposited into Fund 7748, Project P537650.

**SECTION 4.** That this ordinance shall take effect and be in force from and after the earliest period allowed by law.