



## Legislation Details (With Text)

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**Type:** Ordinance      **Status:** Passed  
**File created:** 7/30/2015      **In control:** Public Service & Transportation Committee  
**On agenda:** 9/28/2015      **Final action:** 9/30/2015  
**Title:** To authorize the Director of the Department of Public Service to execute those documents necessary for the City to grant encroachment easements to the Affordable Housing Trust within the public right-of-ways needed for their project.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
9/30/2015	1	CITY CLERK	Attest	
9/29/2015	1	MAYOR	Signed	
9/28/2015	1	COUNCIL PRESIDENT	Signed	
9/28/2015	1	Columbus City Council	Approved	Pass
9/21/2015	1	Columbus City Council	Read for the First Time	

### 1. BACKGROUND

The City of Columbus, Department of Public Service, received a request from The Affordable Housing Trust asking that the City allow for projecting bay windows, face of building, and fascia/roof overhang to extend into the public right-of-way. These encroachments are part of a new building project and designed to fit into this historic districts architectural requirements, located at 905 East Long Street. The property is owned by Affordable Housing Trust for Columbus and Franklin County. The encroachments will protrude into the public right-of-way of East Long Street and North Seventeenth Street. The following legislation authorizes the Director of the Department of Public Service to execute those documents necessary for the City to grant these encroachment easements to legally allow the building elements to extend into the public rights-of-ways needed for this project. Installation of these building elements will enhance the building and fit into the historic districts architectural requirements. A value of \$1000.00 for the encroachment easements was established.

### 2. FISCAL IMPACT

The City will receive a total of \$1000.00, to be deposited in Fund 748, Project 537650, for granting the requested encroachment easements.

To authorize the Director of the Department of Public Service to execute those documents necessary for the City to grant encroachment easements to the Affordable Housing Trust within the public right-of-ways needed for their project.

**WHEREAS**, the City of Columbus, Department of Public Service, received a request from the owner, The Affordable Housing Trust for Columbus and Franklin County, asking that the City allow for projecting bay windows, face of building, and fascia/roof overhang to extend into the public right-of-way; and

**WHEREAS**, these encroachments are part of a new building project and designed to fit into this historic districts architectural requirements, located at 905 East Long Street; the encroachments will protrude into the public right-of-way of East Long Street and North Seventeenth Street.; and

**WHEREAS**, this legislation authorizes the Director of the Department of Public Service to execute those documents necessary for the City to grant these encroachment easements to legally allow the building elements to extend into the public rights-of-ways needed for this project. Installation of these building elements will enhance the building and fit into the historic districts architectural requirements; and

**WHEREAS**, a value of \$1000.00 for the encroachment easements was established; and

**WHEREAS**, it has become necessary in the usual daily operation of the Department of Public Service to authorize the Director to execute those documents necessary to grant encroachment easements to The Affordable Housing Trust within the public right-of-ways in order to allow their project to move forward; now, therefore,

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

**Section 1.** That the Director of the Department of Public Service be and is hereby authorized to execute those documents necessary to grant the following described encroachment easements; to-wit:

**STREET ENCROACHMENTS**

*Aerial Easement for Corner Turret  
Southeast Corner E. Long Street & N. 17<sup>th</sup> Street*

Situated in the State of Ohio, County of Franklin, City of Columbus, being a part of the right-of-way of N. Seventeenth Street (48.4 feet wide) and part of the right-of-way of E. Long Street (70 feet wide) between elevation 808.0' to 843.0' (North American Vertical Datum 1988) and being more particularly described as follows:

Beginning at the intersection of the south right-of-way line of said E. Long Street with the east right-of-way line of said N. Seventeenth Street, also being the northwest corner of Lot 1 of Lowery's Subdivision, (P.B. 4, P. 193);

Thence, along the east right-of-way line of N. Seventeenth Street, along part of the west line of said Lot 1, South 03° 19' 17" West, 10.00 feet to a point;

Thence, across said right-of-ways the following four (4) courses:

- 1) North 86° 40' 43" West, 4.00 feet to a point;
- 2) North 03° 19' 17" East, 13.27 feet to a point;
- 3) North 81° 52' 03" East, 13.27 feet to a point;
- 4) South 08° 07' 57" East, 4.00 feet to a point on the south right-of-way line of said E. Long Street, also being on the north line of said Lot 1;

Thence, along the south right-of-way line of said E. Long Street, along part of the north line of said Lot 1, South 81° 52' 03" West, 10.00 feet to the place of beginning **CONTAINING 93 SQUARE FEET**. Basis of bearings is the south right-of-way line of E. Long Street held as North 81° 52' 03" East per State Plane Coordinates, Ohio South Zone NAD 83 (86 ADJ) .

Myers Surveying Company, Inc.

*Aerial Easement for West Bay Window*

Situated in the State of Ohio, County of Franklin, City of Columbus, being part of the right-of-way of E. Long Street (70 feet wide) between elevation 808.0' to 835.0' (North American Vertical Datum 1988) and being more particularly described as follows;

Commencing at the intersection of the south right-of-way line of said E. Long Street with the east right-of-way line of said N. Seventeenth Street, also being the northwest corner of Lot 1 of Lowery's Subdivision, (P.B. 4, P. 193),

Thence, along the south right-of-way line of said E. Long Street, along part of the north line of said Lot 1, North 81° 52' 03" East, 29.60 feet to the **TRUE POINT OF BEGINNING**;

Thence, across the right-of-way of E. Long Street the following three (3) courses;

- 1) North 08° 07' 57" West, 2.00 feet to a point;
- 2) North 81° 52' 03" East, 12.00 feet to a point;
- 3) South 08° 07' 57" East, 2.00 feet to a point on the south right-of-way line of said E. Long Street, the north line of Lot 2 of said subdivision;

Thence, along the south right-of-way line of E. Long Street, along part of the north line of said Lot 2 and 1, South 81° 52' 03" West, 12.00 feet to the place of beginning **CONTAINING 24 SQUARE FEET**. Basis of bearings is the south right-of-way line of E. Long Street held as North 81° 52' 03" East per State Plane Coordinates, Ohio South Zone NAD 83 (86 ADJ).

Myers Surveying Company, Inc.

#### *Aerial Easement for Middle Bay Window*

Situated in the State of Ohio, County of Franklin, City of Columbus, being part of the right-of-way of E. Long Street (70 feet wide) between elevation 808.0' to 835.0' (North American Vertical Datum 1988) and being more particularly described as follows:

Commencing at the intersection of the south right-of-way line of said E. Long Street with the east right-of-way line of said N. Seventeenth Street, also being the northwest corner of Lot 1 of Lowery's Subdivision, (P.B. 4, P. 193);

Thence, along the south right-of-way line of said E. Long Street, along the north line of said Lot 1 and Lot 2 of said subdivision along part of the north line of said Lot 3, North 81° 52' 03" East, 70.60 feet to the **TRUE POINT OF BEGINNING**;

Thence, across the right-of-way of E. Long Street the following three (3) courses:

- 1) North 08° 07' 57" West, 2.00 feet to a point;
- 2) North 81° 52' 03" East, 12.00 feet to a point;
- 3) South 08° 07' 57" East, 2.00 feet to a point on the south right-of-way line of said E. Long Street, the north line of Lot 3 of said subdivision;

Thence, along the south right-of-way line of E. Long Street, along the north line of said Lot 3, South 81° 52' 03" West, 12.00 feet to the place of beginning **CONTAINING 24 SQUARE FEET**. Basis of bearings is the south right-of-way line of E. Long Street held as North 81° 52' 03" East per State Plane Coordinates, Ohio South Zone NAD 83 (86 ADJ).

Myers Surveying Company, Inc.

#### *Aerial Easement for East Bay Window*

Situated in the State of Ohio, County of Franklin, City of Columbus, part of the right-of-way of E. Long Street (70 feet wide) between elevation 808.0' to 835.0' (North American Vertical Datum 1988) and being more particularly described as follows:

Commencing at the intersection of the south right-of-way line of said E. Long Street with the east right-of-way line of said N. Seventeenth Street, also being the northwest corner of Lot 1 of Lowery's Subdivision, (P.B. 4, Page 193);

Thence, along the south right-of-way line of said E. Long Street, along the north line of said Lot 1 and Lot 2 and 3 of said subdivision, along part of the north line of said Lot 1, of Knight Noble & English's Subdivision (P.B. 3, P. 155) North 81° 52' 03" East, 111.60 feet to the **TRUE POINT OF BEGINNING**;

Thence, across the right-of-way of E. Long Street the following three (3) courses:

- 1) North  $08^{\circ} 07' 57''$  West, 2.00 feet to a point;
- 2) North  $81^{\circ} 52' 03''$  East, 12.00 feet to a point;
- 3) South  $08^{\circ} 07' 57''$  East, 2.00 feet to a point on the south right-of-way line of said E. Long Street, the north line of Lot 1 of said Knights Noble & English's Subdivision.

Thence, along the south right-of-way of said E. Long Street, along part of the north line of Lot 1 of said Knights Noble & English's Subdivision, South  $81^{\circ} 52' 03''$  West, 12.00 feet to the place of beginning **CONTAINING 24 SQUARE FEET**. Basis of bearings is the south right-of-way line of E. Long Street held as North  $81^{\circ} 52' 03''$  East per State Plane Coordinates, Ohio South Zone NAD 83 (86 ADJ).

Myers Surveying Company, Inc.

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