



**SANDUSKY CITY COMMISSION  
REGULAR SESSION AGENDA  
MARCH 25, 2024 AT 5 P.M.  
CITY HALL, 240 COLUMBUS AVENUE**

INVOCATION	Mr. Brady
PLEDGE OF ALLEGIANCE	
CALL TO ORDER	K. Vargo, D. Waddington, R. Brady, D. Murray, S. Poggiali, R. Koonce, J. Krabill
APPROVAL OF MINUTES	March 11, 2024 Regular Meeting
PRESENTATION	
PUBLIC HEARING	CDBG 2024-2028 Consolidated Plan & 2024 Action Plan, Nicole Grohe
AUDIENCE PARTICIPATION	
COMMUNICATIONS	Motion to accept all communications submitted below.
CURRENT BUSINESS	

**CONSENT AGENDA**

**ITEM A – Submitted by Michelle Reeder, Finance Director**

**APPROVAL OF BUDGET APPROPRIATION AMENDMENT**

**Budgetary Information:** Appropriation amendments are required to update the 2024 budget for these funds:

- General Fund
- State Grant Funds
- Capital Projects Funds

**ORDINANCE NO. \_\_\_\_\_:** It is requested an ordinance be passed adopting amendment no. 1 to ordinance no. 24-017 passed by this City Commission on January 22, 2024, making general appropriations for the fiscal year 2024; and declaring that this ordinance shall take immediate effect in accordance with section 14 of the city charter.

**ITEM B – Submitted by Michelle Reeder, Finance Director**

**APPROVAL OF PAYMENT FOR CHESAPEAKE LOFTS SUBMERGED LAND LEASE TO ODNR**

**Budgetary Information:** This submerged land lease is payable by the City of Sandusky as the lease holder. The Chesapeake Lofts Condo Association will reimburse the City for the cost of the lease. ODNR does not allow a sub-lease holder to make a Submerged Land Lease payment on the City’s behalf.

**ORDINANCE NO. \_\_\_\_\_:** It is requested an ordinance be passed authorizing and directing the City Manager to make payment to the Ohio Department of Natural Resources (ODNR), Office of Coastal Management for rental payment on submerged lands lease file no. SUB-2119B-ER for the period of April 1, 2024, through March 31, 2025; and declaring that this ordinance shall take immediate effect in accordance with section 14 of the city charter.

**ITEM C – Submitted by Josh Snyder, Public Works Engineer**

**APPROVAL OF C/O #2 FOR EAST MONROE STREET RESURFACING PROJECT WITH ERIE BLACKTOP**

**Budgetary Information:** Change Order 2 shall decrease the contract by \$9,200.00, making the final contract cost for the project \$746,462.09 of which \$581,704.35 will be paid with ODOT funds and \$164,757.74 paid for with Capital Projects funds (Issue 8).

**ORDINANCE NO. \_\_\_\_\_:** It is requested an ordinance be passed authorizing and directing the City Manager to approve the second & final change order for work performed by Erie Blacktop, Inc. of Sandusky, Ohio, for the East Monroe Street Resurfacing Project; and declaring that this ordinance shall take immediate effect in accordance with section 14 of the city charter.

**ITEM D – Submitted by Arin Blair, Chief Planner**

**APPROVAL TO ADOPT THE SANDUSKY PRESERVATION DESIGN GUIDELINES 2024**

**Budgetary Information:** There is no budgetary impact to adopt the updated guidelines.

**ORDINANCE NO. \_\_\_\_\_:** It is requested an ordinance be passed approving and adopting the updated Sandusky Preservation Design Guidelines; and declaring that this ordinance shall take immediate effect in accordance with section 14 of the city charter.

**REGULAR AGENDA**

**ITEM 1 – Submitted by Aaron Klein, Public Works Director**

**CONSENT FOR THE RESURFACING OF STATE ROUTE 2 TO ODOT**

**Budgetary Information:** No funds are required from the City. However, if the City requests to add construction items to the project, 100% of those costs would be the responsibility of the City. The City does not anticipate requesting any additional items at this time.

**RESOLUTION NO. \_\_\_\_\_** : It is requested a resolution be passed adopting the consent legislation submitted by the Director of the Ohio Department of Transportation for the State Route 2 Pavement Repairs in Sandusky Project, PID No. 115168; authorizing and directing the City Manager to sign the consent legislation and to execute any necessary contracts with the Director of Transportation for this project; and declaring that this resolution shall take immediate effect in accordance with section 14 of the city charter.

**ITEM 2 – Submitted by Megan Stookey, Project Manager**

**PERMISSION TO AWARD MEADOWOOD SIDEWALK PROJECT TO SMITH PAVING**

**Budgetary Information:** The total contract price shall not exceed \$134,481.30 and shall be split with ODOT funding 80% of the project in an amount of \$107,585.04 and the City covering the remaining 20% in an amount of \$26,896.26 being paid for with Capital Projects Funds (issue 8 Infrastructure).

**ORDINANCE NO. \_\_\_\_\_** : It is requested an ordinance be passed authorizing and directing the City Manager to enter into a contract with Smith Paving and Excavating, Inc. of Norwalk, Ohio, for the Meadowood Subdivision Sidewalk Project; and declaring that this ordinance shall take immediate effect in accordance with section 14 of the city charter.

**ITEM 3 – Submitted by Josh Snyder, Public Works Engineer**

**APPROVAL OF C/O #1 & FINAL FOR 2023 WEST MONROE STREET OUTFALL PROJECT WITH GREAT LAKES**

**Budgetary Information:** This original contract was not to exceed \$553,951.00. The final contract amount will be \$651,832.15, which is an increase of \$97,881.15, and shall be paid with Sewer Funds.

**ORDINANCE NO. \_\_\_\_\_** : It is requested an ordinance be passed authorizing and directing the City Manager to approve the first & final change order for work performed by Great Lakes Demolition Company LLC of Clyde, Ohio, for the 2023 West Monroe Street Outfall Project in the amount of \$97,881.15; and declaring that this ordinance shall take immediate effect in accordance with section 14 of the city charter.

**ITEM 4 – Submitted by Josh Snyder, Public Works Engineer**

**APPROVAL OF PROPERTY APPROPRIATIONS FOR CLEVELAND ROAD SAFETY IMPROVEMENT PROJECT**

**Budgetary Information:** At time of filing the funds identified in the Notice of Intent to Acquire and Good Faith Offer shall be deposited with the Court in an amount not to exceed \$204,052.00, being paid for by the City and then reimbursed by Ohio Department of Transportation (ODOT). The funding split is \$10,202.60 (5%) City of Sandusky, Major Infrastructure Funds (Streets) and \$193,849.40 (95%) ODOT through the Safety funds.

57-03457.000 57-04107.000	54-WD, T 52-T	\$ 10,085.00	Vtanium Inc.
57-01477.000	53-WD, T	\$ 38,180.00	Yang Properties, LLC, an Ohio limited liability company
57-04915.000	55-WD, T	\$ 2,020.00	Robert G Schoen
57-00871.000	105-WD	\$ 1,946.00	LLLL Investments LTD
57-06003.000 57-01378.000 57-01379.000 57-01380.000 57-01381.000	18-T  51-WD, T	\$ 151,821.00	S & S Realty LTD

1. **ORDINANCE NO. \_\_\_\_\_** : It is requested an ordinance be passed appropriating property interest described as parcel 54-WD, 54-T & 52-T and now owned by Vtanium Inc. for the purpose of making or repairing roads which are open to the public without charge; authorizing the appropriation of funds for deposit with the Clerk of Courts; authorizing the City Law Director and/or his designee to file a complaint for appropriation in the Court of Common Pleas, Erie County, Ohio; and declaring that this ordinance shall take immediate effect in accordance with section 14 of the city charter.
2. **ORDINANCE NO. \_\_\_\_\_** : It is requested an ordinance be passed appropriating property interest described as parcel 53-WD & 53-T and now owned by Yang Properties, LLC, for the purpose of making or repairing roads which are open to the public without charge; authorizing the appropriation of funds for deposit with the Clerk of Courts; authorizing the City Law Director and/or his designee to file a complaint for appropriation in the Court of Common Pleas, Erie County, Ohio; and declaring that this ordinance shall take immediate effect in accordance with section 14 of the city charter.
3. **ORDINANCE NO. \_\_\_\_\_** : It is requested an ordinance be passed appropriating property interest described as parcel 55-WD & 55-T and now owned by Robert G. Schoen and Helen M. Schoen, Trustees of the Robert G. Schoen Trust for the purpose of making or repairing roads which are open to the public without charge; authorizing the appropriation of funds for deposit with the Clerk of Courts; authorizing the City Law Director and/or his designee to



file a complaint for appropriation in the Court of Common Pleas, Erie County, Ohio; and declaring that this ordinance shall take immediate effect in accordance with section 14 of the city charter.

4. **ORDINANCE NO. \_\_\_\_\_**: It is requested an ordinance be passed appropriating property interest described as parcel 105-WD and now owned by LLLL Investments LTD for the purpose of making or repairing roads which are open to the public without charge; authorizing the appropriation of funds for deposit with the Clerk of Courts; authorizing the City Law Director and/or his designee to file a complaint for appropriation in the Court of Common Pleas, Erie County, Ohio; and declaring that this ordinance shall take immediate effect in accordance with section 14 of the city charter.
5. **ORDINANCE NO. \_\_\_\_\_**: It is requested an ordinance be passed appropriating property interest described as parcel 51-WD & 51-T & 18-T and now owned by S & S Realty LTD for the purpose of making or repairing roads which are open to the public without charge; authorizing the appropriation of funds for deposit with the Clerk of Courts; authorizing the City Law Director and/or his designee to file a complaint for appropriation in the Court of Common Pleas, Erie County, Ohio; and declaring that this ordinance shall take immediate effect in accordance with section 14 of the city charter.

#### **CITY MANAGER'S REPORT**

#### **OLD BUSINESS**

#### **NEW BUSINESS**

**AUDIENCE PARTICIPATION:** Open discussion on any item (5-minute limit)

#### **EXECUTIVE SESSION(S)**

#### **ADJOURNMENT**

Online: [www.CityofSandusky.com/Live](http://www.CityofSandusky.com/Live) – Click “Play” 



## FINANCE DEPARTMENT

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240 Columbus Avenue  
Sandusky, Ohio 44870  
419.627.5776  
[www.cityofsandusky.com](http://www.cityofsandusky.com)

TO: John Orzech, City Manager  
FROM: Michelle Reeder, Finance Director  
DATE: March 14, 2024  
RE: Commission Agenda Item

### **ITEM FOR CONSIDERATION:**

Ohio Rev. Code Section 5705.40 states that any appropriation ordinance or measure may be amended or supplemented, provided that such amendment or supplement shall comply with all provisions of law governing the taxing authority in making an original appropriation and that no appropriation for any purpose shall be reduced below an amount sufficient to cover all unliquidated and outstanding contracts or obligations certified from or against the appropriation. I am submitting amendment #1 to the 2024 General Appropriations.

### **BUDGETARY INFORMATION:**

Appropriation amendments are required to update the 2024 budget for these funds:

- General Fund
- State Grant Funds
- Capital Projects Funds

### **ACTION REQUIRED:**

It is requested that the City Commission enact the ordinance, and have it take immediate effect under Section 14 of the City Charter, so that the budget amendments can be entered into the financial system and purchases can be made to continue the flow of city operations.

I concur with this recommendation:

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John Orzech  
City Manager

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Michelle Reeder  
Finance Director

Cc: Stewart Hastings, Law Director

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE ADOPTING AMENDMENT NO. 1 TO ORDINANCE NO. 24-017 PASSED BY THIS CITY COMMISSION ON JANUARY 22, 2024, MAKING GENERAL APPROPRIATIONS FOR THE FISCAL YEAR 2024; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, this Ordinance has been prepared to cover deficiencies or needs which exist in the General, State Grants, and Capital Projects Funds; and

WHEREAS, amendments are required to adjust the budget for previous actions of the City; and

WHEREAS, this Ordinance should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter to prevent delays in the use of the funds for an extended period of time and not restrict the operation of City departments; and

WHEREAS, in that it is deemed necessary in order to provide for the immediate preservation of the public peace, property, health, and safety of the City of Sandusky, Ohio, and its citizens, and to provide for the efficient daily operation of the Municipal Departments, including the Finance Department, of the City of Sandusky, Ohio, the City Commission of the City of Sandusky, Ohio finds that an emergency exists regarding the aforesaid, and that it is advisable that this **Ordinance** be declared an emergency measure which will take immediate effect in accordance with Section 14 of the City Charter upon its adoption; and NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF SANDUSKY, OHIO, THAT:

Section 1. Ordinance No. 24-017 passed by this City Commission on the 22<sup>nd</sup> day of January, 2024, be amended as hereinafter set forth:

DEPARTMENT	PERSONAL		TOTAL
	SERVICES	OTHER	
Parks & Public Realm	-	125,000	125,000
<b>GENERAL FUND TOTAL</b>	-	<b>125,000</b>	<b>125,000</b>
 STATE GRANTS	-	<b>465,000</b>	<b>465,000</b>
 CAPITAL PROJECTS FUND	-	<b>1,115,625</b>	<b>1,115,625</b>
 <b>TOTAL ALL FUNDS</b>	-	<b>1,705,625</b>	<b>1,705,625</b>

Section 2. The Finance Director is authorized to draw warrants upon the City treasury for funds appropriated in this Ordinance upon presentation of properly approved vouchers and when in conformity with the Charter and general laws of the State of Ohio. In addition, the Finance Director is authorized to make transfers between funds, to cover deficiencies in City funds provided said transfers are included in the general appropriations.

Section 3. If any section, phrase, sentence, or portion of this Ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Section 4. This City Commission finds and determines that all formal actions of this City Commission concerning and relating to the passage of this Ordinance were taken in an open meeting of this City Commission and that all deliberations of this City Commission and of any of its committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

Section 5. That for the reasons set forth in the preamble hereto, this Ordinance is hereby declared to be an emergency measure which shall take immediate effect in accordance with Section 14 of the City Charter after its adoption and due authentication by the President and the Clerk of the City Commission of the City of Sandusky, Ohio.

\_\_\_\_\_  
RICHARD R. BRADY  
PRESIDENT OF THE CITY COMMISSION

ATTEST: \_\_\_\_\_  
CATHLEEN A. MYERS  
CLERK OF THE CITY COMMISSION

Passed: March 25, 2024





## FINANCE DEPARTMENT

240 Columbus Avenue

Sandusky, Ohio 44870

419.627.5776

[www.cityofsandusky.com](http://www.cityofsandusky.com)

TO: John Orzech, City Manager  
FROM: Michelle Reeder, Finance Director  
DATE: March 18, 2024  
RE: Commission Agenda Item

### **ITEM FOR CONSIDERATION:**

City Commission approval of an ordinance authorizing payment in the amount of \$13,764.34 to the Ohio Department of Natural Resources (ODNR) for submerged land lease SUB-2119B-ER, the Chesapeake Lofts, for the period of April 1, 2024 to March 31, 2025.

### **BACKGROUND INFORMATION:**

This Submerged Lands Lease is payable by the City of Sandusky as the leaseholder. The Chesapeake Lofts Condominium Association, Mid-States Development Corporation's assigned sub-lessee, will reimburse the City for the cost of the lease payment pursuant to Submerged Lands Lease Agreement SUB-2119B-ER.

### **BUDGETARY INFORMATION:**

This submerged land lease is payable by the City of Sandusky as the lease holder. The Chesapeake Lofts Condo Association will reimburse the City for the cost of the lease. ODNR does not allow a sub-lease holder to make a Submerged Land Lease payment on the City's behalf.

### **ACTION REQUIRED:**

It is requested that the City Commission enact the ordinance and have it take immediate effect under Section 14 of the City Charter in order to make timely payment to the Ohio Department of Natural Resources.

I concur with this recommendation:

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John Orzech  
City Manager

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Michelle Reeder  
Finance Director

CC: Stewart Hastings, Law Director

**State of Ohio**  
**Department of Natural Resources**



**Submerged Lands Lease Invoice**

**Lessee:**

City of Sandusky  
Attn: Megan E Stookey  
240 Columbus Ave  
Sandusky, OH 44870

Lease No: SUB-2119B-ER  
Invoice No: DNRSL240135  
Invoice Date: 3/13/2024  
Due Date: 4/1/2024

**Submerged Lands Lease Annual Rent**

<u>Lease No.</u>	<u>Description</u>	<u>From Date</u>	<u>To Date</u>	<u>No. of Years</u>	<u>Annual Rate</u>	<u>Net Amount</u>
SUB-2119B-ER	Annual Rent	4/1/2024	3/31/2025	1	\$13,764.34	\$13,764.34
<b>Adjustments:</b>						\$0.00
<b>TOTAL AMOUNT DUE:</b>						\$13,764.34 USD
<b>AMOUNT REMITTED:</b>						_____

**Make Checks Payable To:**  
Ohio Treasurer of State

**Remit Payment To:**  
ODNR Office of Coastal Management  
PO Box 97  
Huron, OH 44839-9720

**Notes:**

Please return page 2 of invoice with your payment and be sure the invoice number is on all payments to ensure proper payment processing.

Questions regarding this invoice can be directed to the Office of Coastal Management at [coastal.regulatory@dnr.ohio.gov](mailto:coastal.regulatory@dnr.ohio.gov) or (419) 609-4112.

## CERTIFICATE OF FUNDS

In the Matter of: ODNR- Submerged Land Lease

IT IS HEREBY CERTIFIED that the moneys required to meet the obligations of the City of Sandusky under the foregoing Contract have been lawfully appropriated for such purposes and are in the treasury of the City of Sandusky or are in the process of collection to an appropriate fund, free from any previous encumbrances. This certificate is given compliance with Sections 5705.41 and 5705.44, Ohio Revised Code.

Account #110-7900-53006

By: Michelle Reeder

Michelle Reeder

Finance Director

Dated: 3/18/24

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO MAKE PAYMENT TO THE OHIO DEPARTMENT OF NATURAL RESOURCES (ODNR), OFFICE OF COASTAL MANAGEMENT FOR RENTAL PAYMENT ON SUBMERGED LANDS LEASE FILE NO. SUB-2119B-ER FOR THE PERIOD OF APRIL 1, 2024, THROUGH MARCH 31, 2025; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.**

**WHEREAS**, the City of Sandusky is the Lessee of a Submerged Lands Lease, File No. SUB-2119B-ER, for the submerged land which is part of the Chesapeake Lofts and as the Lessee, is responsible for all terms and conditions contained in the Submerged Lands Lease, including any annual rent; and

**WHEREAS**, as part of the agreement with Mid-States Development Corporation, the cost for the annual Submerged Lands Lease rental payment is to be reimbursed by Mid-States to the City; and

**WHEREAS**, the total cost for Submerged Lands Lease File No. SUB-2119B-ER, as reflected on the current unpaid invoice, is \$13,764.34 and will initially be paid by the City and then reimbursed by the Chesapeake Lofts Condominium Association, Mid-States Development Corporation's assigned sub-lessee, in accordance with the Agreement; and

**WHEREAS**, this Ordinance should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order to make payment in a timely manner to the Ohio Department of Natural Resources and prior to the due date of April 1, 2024; and

**WHEREAS**, in that it is deemed necessary in order to provide for the immediate preservation of the public peace, property, health, and safety of the City of Sandusky, Ohio, and its citizens, and to provide for the efficient daily operation of the Municipal Departments, including the Finance Department, of the City of Sandusky, Ohio, the City Commission of the City of Sandusky, Ohio finds that an emergency exists regarding the aforesaid, and that it is advisable that this **Ordinance** be declared an emergency measure which will take immediate effect in accordance with Section 14 of the City Charter upon its adoption; and NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF SANDUSKY, OHIO, THAT:

Section 1. The City Manager and/or Finance Director is authorized and directed to make payment to the Ohio Treasurer of State as requested by the Ohio Department of Natural Resources (ODNR), Office of Coastal Management, Sandusky, Ohio, for rental payment for Submerged Lands Lease File No. SUB-2119B-ER, for the period April 1, 2024, through March 31, 2025, in an amount **not**



to exceed Thirteen Thousand Seven Hundred Sixty Four and 34/100 Dollars (\$13,764.34), consistent with the invoice submitted to the City.

Section 2. If any section, phrase, sentence, or portion of this Ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Section 3. This City Commission finds and determines that all formal actions of this City Commission concerning and relating to the passage of this Ordinance were taken in an open meeting of this City Commission and that all deliberations of this City Commission and of any of its committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

Section 4. That for the reasons set forth in the preamble hereto, this Ordinance is hereby declared to be an emergency measure which shall take immediate effect in accordance with Section 14 of the City Charter after its adoption and due authentication by the President and the Clerk of the City Commission of the City of Sandusky, Ohio.

\_\_\_\_\_  
RICHARD R. BRADY  
PRESIDENT OF THE CITY COMMISSION

ATTEST: \_\_\_\_\_  
CATHLEEN A. MYERS  
CLERK OF THE CITY COMMISSION

Passed: March 25, 2024



## DEPARTMENT OF PUBLIC WORKS

240 Columbus Avenue  
Sandusky, Ohio 44870  
419.627.5829  
[www.cityofsandusky.com](http://www.cityofsandusky.com)

To: John Orzech, City Manager

From: Josh Snyder, Public Works Engineer

Date: March 13, 2024

**Subject: Commission Agenda Item – Change Order 2 deduct, East Monroe Street Resurfacing Project ERI-CR0504-00.49 (Monroe St) PID 110322**

**ITEM FOR CONSIDERATION:** Requesting legislation for approval of Change Order 2 for East Monroe Street Resurfacing Project ERI-CR0504-00.49 (Monroe St) PID 110322.

**BACKGROUND INFORMATION:** Legislation was passed at the January 9, 2023, City Commission meeting awarding a construction contract of the East Monroe Street Resurfacing Project ERI-CR0504-00.49 (Monroe St) PID 110322 project to Erie Blacktop Inc., of Sandusky, Ohio, pursuant to Ordinance 23-004 in the amount of \$769,134.27.

The project provided for improvements to East Monroe Street from Decatur Street to Meigs Street, including milling of existing pavement, resurfacing with intermediate and surface courses of asphalt, full depth and partial depth base repairs, limited curb and gutter improvements, adjustments to manholes, monument boxes and water value boxes, ADA curb ramps and pavement markings.

Staff presented what was believed to be Change Order 1 & Final at the December 11, 2023, City Commission meeting (Ordinance 23-241) which was unanimously approved. From the time of that change order and during final project audits, it was discovered that an additional deduction of \$9,200 was incurred on the project. This change order also includes an extension of the completion date from October 31, 2023, to February 8, 2024.

**BUDGETARY INFORMATION:** The original contract with Erie Blacktop Inc. of Sandusky, Ohio was \$769,134.27, Change Order 1 decreased the contract by \$13,472.18, adjusting the contract price to \$755,662.09.

Change Order 2 shall decrease the contract by \$9,200.00, making the final contract cost for the project \$746,462.09 of which \$581,704.35 will be paid with ODOT funds and \$164,757.74 paid for with Capital Projects funds (Issue 8).

**ACTION REQUESTED:** It is recommended that proper legislation be prepared for Change Order 2 for the East Monroe Street Resurfacing Project ERI-CR0504-00.49 (Monroe St) PID 110322 decreasing the contract by \$9,200.00, with a final contract cost of \$746,462.09 be approved and that the necessary legislation be passed under suspension of the rules and in accordance with Section 14 of the City Charter to allow for final project closeout.

I concur with this recommendation:

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John Orzech  
City Manager

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Aaron Klein  
Director

cc: C. Myers, Commission Clerk; M. Reeder, Finance Director; S. Hastings, Law Director

# CHANGE ORDER

**PROJECT**

ERI-CR504-0.49 E Monroe St  
PID No. 110322  
City of Sandusky

C.O. # 2 Final

DATE March 5, 2024

**CONTRACTOR**

Erie Blacktop, Inc.  
4507 Tiffin Ave  
Sandusky, OH 44870

**OWNER**

City of Sandusky  
240 Columbus Ave  
Sandusky, OH 44870

**CHANGE ORDER DETAIL**

Ref. #	Description	Part Code	Quantity	Unit	Unit Price	Amount
	See Detail Sheet for All Items					
					<b>Total</b>	<b>\$ (9,200.00)</b>

Funding \ Participation Codes: 01 100% Project Funds - (80% Federal - 20% Local)  
02 100% Local Funds

**EXPLANATION OF NECESSITY**

The Contractor hereby agrees to the Contract changes set forth in this Change Order and releases the Owner from any further obligation for compensation of any known or suspected direct or indirect costs of the work included herein.


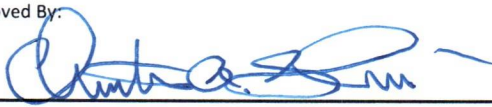
See Attached Sheet for Explanation by Reference Number

**CHANGE TO CONTRACT PRICE**

Original Contract Price	\$ 769,134.27
Current Contract Price - Adjusted by Previous Change Order(s)	\$ 755,662.09
Increase \ Decrease Due to this Change Order	\$ (9,200.00)
New Contract Price - Including This Change Order	\$ 746,462.09

**CHANGE TO CONTRACT TIME**

Original Contract Completion Date	October 31, 2023
Contract Time (Days) Due to this Change Order	100 Days
Current Contract Completion Date	February 8, 2024

Recommended \ Approved By:	Signature	Date
<b>ENGINEER \ CONST. MGR.</b> K.E. McCartney & Associates Ryan Simon, P.E., CPESC	Recommended By: 	3/5/2024
<b>CONTRACTOR</b> Erie Blacktop, Inc. Christopher A. Schaeffer, President	Approved By: 	3/5/2024
<b>OWNER</b> City of Sandusky Joshua Snyder, P.E., CPSWQ	Approved By:	



## CHANGE ORDER DETAIL

## PROJECT

ERI-CR504-0.49 E Monroe St

PID No. 110322

City of Sandusky

**C.O. # 2 Final**

**DATE** March 5, 2024

**CONTRACTOR**

Erie Blacktop, Inc.

4507 Tiffin Ave

Sandusky, OH 44870

**OWNER**

City of Sandusky

240 Columbus Ave

Sandusky, OH 44870

[illegible]

Funding \ Participation Codes:	01	100% Project Funds - (80% Federal - 20% Local)
	02	100% Local Funds

# CHANGE ORDER DETAIL

**PROJECT**

ERI-CR504-0.49 E Monroe St  
PID No. 110322  
City of Sandusky

**C.O. #** 2 Final

**DATE** March 5, 2024

**CONTRACTOR**

Erie Blacktop, Inc.  
4507 Tiffin Ave  
Sandusky, OH 44870

**OWNER**

City of Sandusky  
240 Columbus Ave  
Sandusky, OH 44870

**EXPLANATION OF NECESSITY**

**Ref. # 9**

Contractor installed precast catch basins from an unapproved source. The City and ODOT will not participate in payment.

**Contract Time Extension**

A time extension was required to complete the punchlist.

By signing this FINAL change order, the contractor acknowledges that there will not be any future claims for additional compensation on this project.

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO APPROVE THE SECOND & FINAL CHANGE ORDER FOR WORK PERFORMED BY ERIE BLACKTOP, INC. OF SANDUSKY, OHIO, FOR THE EAST MONROE STREET RESURFACING PROJECT; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.**

**WHEREAS**, the East Monroe Street Resurfacing Project provided for improvements to East Monroe Street from Decatur Street to Meigs Street and includes the milling of existing pavement, resurfacing with intermediate and surface courses of asphalt, full depth and partial depth base repairs, limited curb and gutter improvements, adjustments to manholes, monument boxes, ADA curb ramps, and pavement markings; and

**WHEREAS**, the City Commission approved the submission of an application to the Erie Regional Planning Commission Metropolitan Planning Organization (MPO) for financial assistance for the East Monroe Street Resurfacing Project and, if awarded, approving an LPA Federal Local-Let Project Agreement with the Ohio Department of Transportation (ODOT) by Resolution No. 040-18R, passed on September 24, 2018; and

**WHEREAS**, this City Commission declared the necessity for the City to proceed with the proposed East Monroe Street Resurfacing Project by Resolution No. 059-22R, passed on October 24, 2022; and

**WHEREAS**, the City Commission approved the awarding of the contract to Erie Blacktop, Inc. of Sandusky, Ohio, for work to be performed for the East Monroe Street Resurfacing Project by Ordinance No. 23-004, passed on January 9, 2023; and

**WHEREAS**, the City Commission approved the First & Final Change Order for work performed by Erie Blacktop, Inc. of Sandusky, Ohio, for the East Monroe Resurfacing Project by Ordinance No. 23-241, passed on December 11, 2023, in which \$13,472.18 was deducted from the contract; and

**WHEREAS**, during the final project audits, it was discovered that an additional deduction of \$9,200.00 was incurred on the project; and

**WHEREAS**, this Second & Final Change Order reflects the deduction as well as an extension of the completion date from October 31, 2023, to February 8, 2024; and

**WHEREAS**, the revised contract with Erie Blacktop, Inc. of Sandusky, Ohio, resulting from the First Change Order was \$755,662.09, and with the **deduction** of this Second & Final Change Order in the amount of \$9,200.00, the final contract cost is \$746,462.09 of which \$581,704.35 (80% of eligible costs) will be paid with ODOT funds and the City's share of \$164,757.74 will be paid with Capital Projects Funds; and

**WHEREAS**, this Ordinance should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order to close out the completed project; and

**WHEREAS**, in that it is deemed necessary in order to provide for the immediate preservation of the public peace, property, health, and safety of the City of Sandusky, Ohio, and its citizens, and to provide for the efficient daily operation of the Municipal Departments, including the Department of Public Works, of the City of Sandusky, Ohio, the City Commission of the City of Sandusky, Ohio finds that an emergency exists regarding the aforesaid, and that it is advisable that this **Ordinance** be declared an emergency measure which will take immediate effect in accordance with Section 14 of the City Charter upon its adoption; and NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF SANDUSKY, OHIO, THAT:

Section 1. The City Manager is hereby authorized and directed to approve this Second & Final Change Order for work performed for the East Monroe Street Resurfacing Project (PID #110322), and to **deduct** from the contract amount the sum of Nine Thousand Two Hundred and 00/100 Dollars (\$9,200.00) resulting in the final contract cost of Seven Hundred Forty-Six Thousand Four Hundred Sixty-Two and 09/100 Dollars (\$746,462.09) with Erie Blacktop, Inc. of Sandusky, Ohio, and to extend the completion date from October 31, 2023, to February 8, 2024.

Section 2. If any section, phrase, sentence, or portion of this Ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Section 3. This City Commission finds and determines that all formal actions of this City Commission concerning and relating to the passage of this Ordinance were taken in an open meeting of this City Commission and that all deliberations of this City Commission and of any of its committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

Section 4. That for the reasons set forth in the preamble hereto, this Ordinance is hereby declared to be an emergency measure which shall take immediate effect in accordance with Section 14 of the City Charter after its adoption and due authentication by the President and the Clerk of the City Commission of the City of Sandusky, Ohio.



\_\_\_\_\_  
RICHARD R. BRADY  
PRESIDENT OF THE CITY COMMISSION

ATTEST: \_\_\_\_\_  
CATHLEEN A. MYERS  
CLERK OF THE CITY COMMISSION

Passed: March 25, 2024



## COMMUNITY DEVELOPMENT

240 Columbus Ave  
Sandusky, Ohio 44870

419.627.5891

[www.cityofsandusky.com](http://www.cityofsandusky.com)

To: John Orzech, City Manager

From: Arin Blair, Chief Planner

Date: March 12, 2024

Subject: **Commission Agenda Item – Proposal to adopt the Sandusky Preservation Design Guidelines (2024)**

**ITEM FOR CONSIDERATION:** Proposal to adopt the 2024 update of the Sandusky Preservation Design Guidelines to serve as the guiding documents for cases subject to design review as required in the Downtown Design Review Process ordinance, Chapter 1359 and the Landmark Preservation Ordinance, Chapter 1161 of the Codified Ordinances of Sandusky. The Landmarks Commission unanimously recommended the guidelines for adoption at their regular meeting on February 21, 2024.

**BACKGROUND INFORMATION:** The preservation of historic structures across the city and design review of new improvements downtown are paramount to retaining Sandusky's history, character, and economic value. Sandusky has more than 100 buildings on the National Register of Historic Places and more than 1,500 structures within locally designated historic districts. Preserving these structures, while allowing them to take on new life, is essential to Sandusky's community pride and heritage.

The Landmark Commission uses the Sandusky Preservation Design Guidelines to review cases for appropriate changes according to the guidelines and the Secretary of the Interior Standards for the Treatment of Historic Properties. The existing Preservation Design Guidelines were created in 2007 and have received minimal updates since their adoption. Staff identified the need to update the document to edit conflicting and inaccurate information, add guidance for new development and construction, and overall ensure the guidelines adhere to contemporary historic preservation practices most relevant to Sandusky. In 2022, a grant was sought and awarded by the Ohio History Connection, granting the City of Sandusky \$18,800 to complete the Preservation Design Guidelines Update.

The City contracted with Designing Local, a Columbus based planning, landscape architecture, and historic preservation consulting firm, to lead the guidelines update process. In tandem, staff brought forward an amendment to the Downtown Design Review Process, Chapter 1359, to remove language that had been conflicting with the Landmarks Preservation Ordinance, Chapter 1161. The amendment (ord. 23-196) was approved by the City Commission on October 9, 2023.

**UPDATE PROCESS & GUIDELINES SUMMARY:** The Design Guidelines update process included a series of one-on-one and small group conversations with community stakeholders including historic preservation enthusiasts; building owners, architects and residents who had been through the design review process; city staff, members of Landmarks Commission and related commissioner, and leadership. Two public open houses were conducted which included mailed invitations to every property owner and address subject to the design review process.

The majority of the content in the updated guidelines is identical to the 2007 existing document. The updated content includes reformatting and enhanced graphics for clarity and easier use by property owners, updated organization and grammatical edits. New content includes guidance for expansion, additions and new

construction, signage, and refined guidance specific for residential properties where only guidance for commercial buildings existed before. The updated and added content was based on issues and opportunities defined by the Landmarks Commission, staff, stakeholders, and general public during the engagement phase of the project. The guidelines were reviewed by the Landmark Committee at the February 21, 2024, meeting resulting in their recommendation to adopt the guidelines.

The document has received two revisions from the State Historic Preservation office (the grant holder) and has been signed off for adoption and reimbursement of the grant dollars.

**BUDGETARY INFORMATION:** There is no budgetary impact to adopt the updated guidelines.

**ACTION REQUESTED:** It is requested that City Commission move to adopt the 2024 updated Sandusky Preservation Design Guidelines. It is further requested that the legislation be passed under Section 14 of the City Charter in order to adopt the updated guidelines at the earliest opportunity so staff and the Landmarks Commission can begin utilizing for all new applications submitted for design review.

---

Arin Blair, AICP, Chief Planner

I concur with this recommendation.

---

John Orzech, City Manager

---

Colleen Gilson, Community Development Director

Cc: Cathy Myers, Clerk of City Commission  
Michelle Reeder, Finance Director  
Stewart Hastings, Law Director

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE APPROVING AND ADOPTING THE UPDATED SANDUSKY PRESERVATION DESIGN GUIDELINES; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.**

**WHEREAS**, the Landmark Commission uses the Sandusky Preservation Design Guidelines to review cases for appropriate changes according to the guidelines and the Secretary of the Interior Standards for the Treatment of Historic Properties; and

**WHEREAS**, the current Sandusky Preservation Design Guidelines were developed in 2007 for use with Chapter 1359 (Downtown Design Review Process), which was adopted in 1998 and the guidelines have not been updated since the creation of Chapter 1161 (Landmark Preservation), and therefore contain conflicting and inaccurate direction for applicants seeking a Certificate of Appropriateness to make improvements to downtown and historic buildings; and

**WHEREAS**, in February of 2022, the City applied to the Ohio History Connection for a Certified Local Government Grant through the State Historic Preservation Office to update the Sandusky Preservation Design Guidelines and subsequently, this City Commission accepted funds in the amount of \$18,800.00 by Ordinance No. 22-136, passed on July 25, 2022; and

**WHEREAS**, this City Commission authorized an Agreement for Professional Services with Designing Local, LTD, of Columbus, Ohio, for the Sandusky Preservation Design Guidelines Update Project by Ordinance No. 23-010-passed on January 23, 2023; and

**WHEREAS**, the City Commission amended Part Thirteen (Building Code), Title Five (Additional Local Provisions), Chapter 1359 (Downtown Design Review Process) of the Codified Ordinances of the City of Sandusky by Ordinance No. 23-196, passed on October 9, 2023, in order to align with Chapter 1161 (Landmark Preservation) and in preparation for the adoption of new Preservation Design Guidelines; and

**WHEREAS**, the proposed Sandusky Preservation Design Guidelines includes new content on guidance for expansion, additions and new construction, signage, and residential buildings as well as reformatting, enhanced graphics, and updated organization and grammatical edits and will serve as the guiding document for cases subject to design review as required in Chapter 1359 (Downtown Design Review Process and Chapter 1161 (Landmark Preservation) of the Codified Ordinances of Sandusky; and

**WHEREAS**, the updated Sandusky Preservation Design Guidelines were reviewed by the Landmark Commission at their February 21, 2024, meeting resulting in their recommendation to adopt the guidelines; and

**WHEREAS**, this Ordinance should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order to adopt the updated Sandusky Preservation Design Guidelines at the earliest opportunity and begin utilizing for all new applications submitted for design review; and

**WHEREAS**, in that it is deemed necessary in order to provide for the immediate preservation of the public peace, property, health, and safety of the City of Sandusky, Ohio, and its citizens, and to provide for the efficient daily operation of the Municipal Departments, including the Department of Community Development, of the City of Sandusky, Ohio, the City Commission of the City of Sandusky, Ohio finds that an emergency exists regarding the aforesaid, and that it is advisable that this **Ordinance** be declared an emergency measure which will take immediate effect in accordance with Section 14 of the City Charter upon its adoption; and NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF SANDUSKY, OHIO, THAT:

Section 1. This City Commission approves and adopts the updated Sandusky Preservation Design Guidelines for the City of Sandusky, a copy of which is marked Exhibit "A" and is attached to this Ordinance and is specifically incorporated as if fully rewritten herein.

Section 2. If any section, phrase, sentence, or portion of this Ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Section 3. This City Commission finds and determines that all formal actions of this City Commission concerning and relating to the passage of this Ordinance were taken in an open meeting of this City Commission and that all deliberations of this City Commission and of any of its committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

Section 4. That for the reasons set forth in the preamble hereto, this Ordinance is hereby declared to be an emergency measure which shall take immediate effect in accordance with Section 14 of the City Charter after its adoption and due authentication by the President and the Clerk of the City Commission of the City of Sandusky, Ohio.

\_\_\_\_\_  
RICHARD R. BRADY  
PRESIDENT OF THE CITY COMMISSION

ATTEST: \_\_\_\_\_  
CATHLEEN A. MYERS  
CLERK OF THE CITY COMMISSION

Passed: March 25, 2024

Exhibit "A"

CITY OF SANDUSKY

# PRESERVATION DESIGN GUIDELINES

MARCH 2024







*Sandusky City Hall, finished in 2019, was part of a larger project that renovated three historic buildings downtown.*



# ACKNOWLEDGMENTS

## City of Sandusky Residents

A special thank you to numerous stakeholders and community members that participated in the process to develop these guidelines.

## Funding Acknowledgment



This publication is made possible in part by a grant from the National Park Service, U.S. Department of the Interior, administered by the State Historic Preservation Office of the Ohio History Connection. This program receives federal financial assistance for identification and protection of historic properties. The U.S. Department of the Interior prohibits discrimination in departmental federally assisted programs on the basis of race, color, national origin, age or disability. Any person who believes he or she has been discriminated against in any program, activity, or facility operated by a recipient of federal assistance should write to: Office of Equal Opportunity, National Park Service, 1849 C Street, NW, Washington, D.C. 20240

## City Commission

**Richard Brady**  
Commission President

**Dennis E. Murray, Jr.**  
Commission Vice President

**Richard Koonce**  
City Commissioner

**Jeff Krabill**  
City Commissioner

**Steve Poggiali**  
City Commissioner

**Kate Vargo**  
City Commissioner

**Dave Waddington**  
City Commissioner

## City Staff

**John Orzech**  
City Manager

**Arin Blair**  
Chief Planner

**Alec Ochs**  
Assistant Planner

**Tom Horsman**  
Communications Manager

**Quinn Rambo**  
Clerk

## Landmark Commission

**Alan Griffiths**  
Chair

**Kima Yandell**  
Vice Chair

**Eliot Dyer**  
Member

**Louis Schultz**  
Member

**Jeff Krabill**  
Commission Liaison

## Consultant Team



**Matt Leasure**  
Principal, Designing Local Ltd.

**Josh Lapp**  
Principal, Designing Local Ltd.







# PURPOSE OF GUIDELINES

Through Landmark Preservation Ordinance, chapter 1161 of the Sandusky City Code, all changes to existing Landmark and Historic buildings, sites, structures and districts must be reviewed and approved before any permits are issued. These Guidelines are intended to provide guidance to historic building owners and building managers, preservation consultants, architects, contractors and project reviewers who may be doing exterior work on a designated historic structure in Sandusky. Through the Secretary of the Interior's Standards and these guidelines, a variety of Sandusky's historic and architectural resources will be protected and enhanced.

The guidelines are applicable to the following:

- All properties as defined in the Downtown Design Review District [chapter 1359].
- All properties located within a historic district.
- All properties that are individually designated historic.

These guidelines are for local review purposes only. Projects which use Historic Tax Credits or are subject to Section 106 review processes may be subject to additional and more stringent guidelines and standards.

## WHY

Preservation of historic structures and districts...

- Protects the cultural identity and authentic character of the city
- Strengthens community pride
- Showcases the craftsmanship embedded in historic structures
- Extends the longevity of individual buildings and overall economic viability of neighborhoods and districts
- Fosters economic growth, creates jobs, and boosts property values

## HOW

The Landmarks Commission review process using the Historic Preservation Design Guidelines...

- Provides opportunities for historic buildings to take on new life
- Ensures important architectural details are preserved to retain the overall character of the structure
- Extends the life of buildings by ensuring best practices for material selection, construction, and installation
- Shapes new additions and development to compliment adjacent historic architecture without detracting from its value

# DEVELOPMENT OF THE GUIDELINES

## Previous Guidelines

These guidelines were based upon a previous guidelines document that was originally developed in 2007.

These previous guidelines covered a wide range of topics that are reflected in this document.

This guidelines document includes a substantial revision to the format and organization of the 2007 guidelines document. This includes diagrammatic graphics, a visual history of the City of Sandusky, and a reorganization of various items.

This update addresses common items of ongoing cases that have come before the Landmark Commission including items like sidewalk dining, rooftop access, signage, doors, windows, and storefronts.

This project was funded through a generous grant by the Ohio History Connection. A draft review of the guidelines was conducted by the Ohio History Connection.

## Planning Process

The project process was initiated through a tour of the community as well as follow up visits to collect information and local photography. The project team also coordinated with City staff on a bi-weekly basis.

The project team facilitated one-on-one discussions with various community stakeholders including historic preservation enthusiasts; building owners, architects and residents who had been through the design review process; city staff, members of Landmarks Commission and related commissions, and leadership. These conversations formed the basis of the project team's understanding of the status of the existing in-force guidelines as well as general preservation and development issues throughout Sandusky.

Two public open houses were also held during the planning process. The first public open house generated input and feedback about the existing guidelines. The second public open supported public review and discussion of the proposed guidelines. This feedback was incorporated into the final guidelines document.



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SECTION I

# HISTORIC SANDUSKY, OHIO







## SECTION I: History

### Downtown Review District + Downtown Historic District

The Downtown Design Review District [chapter 1359] was created in 1998 to preserve the character of downtown. Its first iteration created a Downtown Design Review Board. The Downtown Historic District was designated as a nationally significant historic district in 1979 and came under the review of the Landmarks Commission in 2019 when the Landmarks Preservation Ordinance [chapter 1161] was adopted and the city became a Certified Local Government.

Now, the Landmarks Commission is the reviewing body both for the Downtown Historic District and the Downtown Design Review District. While both areas have unique boundaries, they cover much of the same area.

The Downtown Design Review District is the larger district. Its boundaries are Sandusky Bay on the north, Hancock Street on the east, Washington Street on the south, and Decatur Street on the west. The district includes all properties within this area and all properties fronting the opposite side of Washington, Decatur, and Hancock Streets.

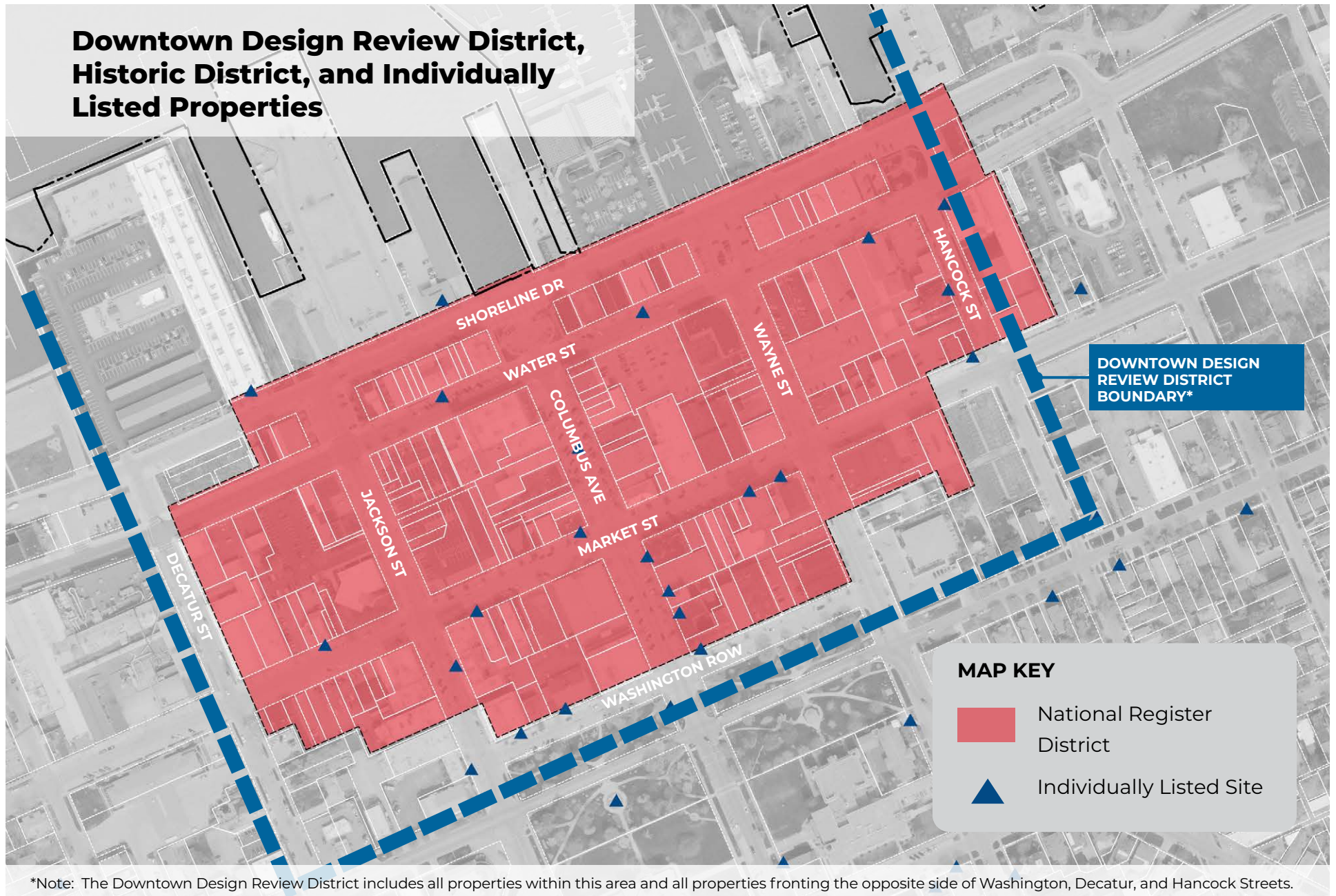
The Downtown Historic District boundaries were shaped to encompass the most historically significant existing architecture in downtown, and follow the precise boundaries as depicted on the maps on page 9-10.

All properties in these districts are subject to the preservation design guidelines review process. The review process may be a singular process if the property is located within both districts.

Future design review districts may be subject to their own guidelines and review processes.



## Downtown Design Review District, Historic District, and Individually Listed Properties



\*Note: The Downtown Design Review District includes all properties within this area and all properties fronting the opposite side of Washington, Decatur, and Hancock Streets.







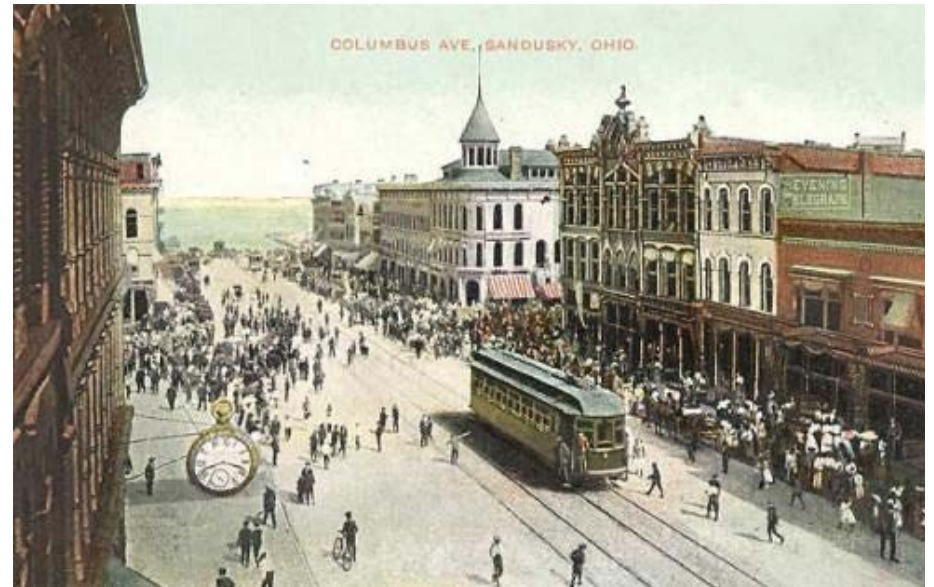
## Sandusky: An Historical Sketch

### BACKGROUND OF SANDUSKY

Sandusky, Ohio is home to one of the most beautiful collections of historical architecture in the Midwest. Sandusky was founded in 1818 and its population grew quickly throughout the 19th century. During this time, German and Irish stonecutters were attracted to the area to fill the City's building needs. Most of the earliest buildings in Sandusky were built of limestone (which can be found just a little more than a foot below the ground in most sections of town).

When Cedar Point's white sand beaches made it a popular vacation spot in the late 1800's, Sandusky's population grew even more rapidly. Industry was attracted by the location on the Sandusky Bay with easy access to Lake Erie.

All of these factors caused people to make Sandusky their home. Their architectural styles reflect the cultures from which they came. This lasting influence can still be seen in the buildings of historic Downtown Sandusky.



## SECTION I: History

### **HISTORICAL TIMELINE**

Fort Sandusky was a British trading and military outpost established around 1794. The Native Americans that inhabited the immediate surrounding area were the Seneca, displaced at the onset of the American Revolution. The generally accepted theory is that the name “Sandusky” is an Anglicization of the phrase “San Too Chee” meaning “cold water”. A less accepted theory is that the City was named after a Polish fur trader by the name of Antoni Sadowski or Jacob Sadowsky.

The Greater Sandusky Firelands area was intended as financial restitution for Connecticut residents whose homes had been burned by British forces during the American Revolutionary War. Norwalk, the Huron County seat (just south of Erie County) is named for Norwalk, CT, as is New London, a small town south of Norwalk.

### **CHANGING THE NAME FROM PORTLAND TO SANDUSKY**

Established as “Portland” in 1816, the name was changed two years later to Sandusky. Norwalk was also established in 1816; at the time, both were growing towns of a unified Huron County. Not long after, thanks to the growth of both towns, Erie County, one of Ohio’s smallest counties, came into being. The County encompassed newly rechristened Sandusky’s far west side, the Village of Vermilion to the east and Norwalk’s northern line to the south.





*Columbus Avenue Looking South*



*Columbus Avenue Looking North*



*West Market Street & Jackson Street Looking East*



*Corner of West Market and Jackson Street Looking East*



*Washington Park Looking South Toward the Courthouse*

## SECTION I: History

### **THE KILBOURNE PLAT**

Downtown Sandusky was designed according to a modified grid plan known as the Kilbourne Plat after its designer. The original street pattern featured a grid overlaid with streets resembling the symbols of Freemasonry. Hector Kilbourne was a surveyor who laid out this grid in downtown Sandusky. He was the first Worshipful Master of the Sandusky Masonic Lodge.

### **MAD RIVER AND LAKE ERIE RAILROAD**

Sandusky was also the site of groundbreaking for the Mad River and Lake Erie Railroad on September 17, 1835. Currently, Battery Park Marina is located on the original site of the MR & LE Railroad. The tracks that ran through Downtown Sandusky have since been removed due to most of the Downtown industrial area being re-used for other purposes. The coal docks located west of Downtown still use a portion of the original MR & LE lines.

### **CAMPTOWN**

The eastern section of the City of Sandusky, which includes the Cedar Point Drive and Big Island area, was added to the original plat of the City by John G. Camp, John G. Camp, Jr., and Jacob A. Camp in 1852. This eastern section, that land east of Sycamore Line, became known as “Camptown”. Sources from that time period stated that “Camptown” was “well laid out excepting that the streets are only 50 feet wide” and that there were “most excellent sites for manufacturing purposes convenient to railroad tracks” which would “be donated for such purposes.” (Mack, 1888) Between Camptown and Battery Park was probably the densest population in the City in early days. (Frohman, 1974)





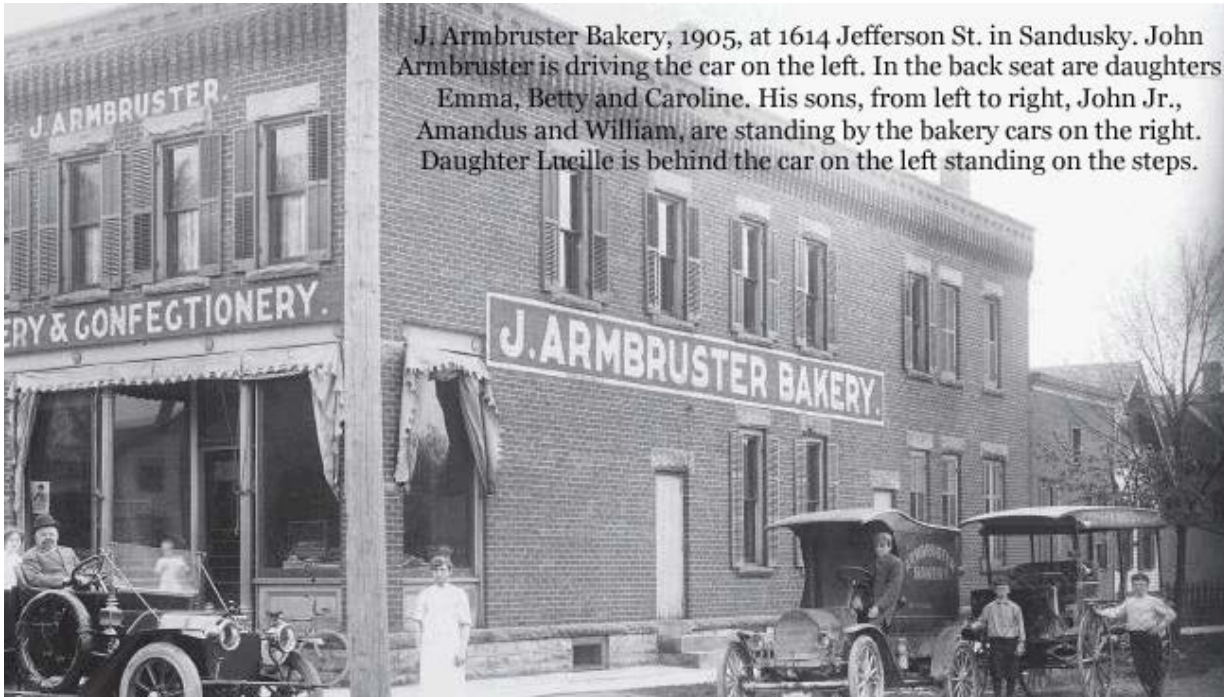
*Columbus Avenue Looking North*



*Corner of Water Street and Columbus Avenue Looking Southwest*



*Corner of West Jefferson Street and Clinton Street*



*Corner of West Jefferson Street and Clinton Street*



*Columbus Avenue Looking North*

### **INDUSTRIAL DEVELOPMENT**

The East End was home to many industrial facilities such as Farrell-Cheek Foundry, the Asher Cooperage Company/Universal Clay Products, and the Cuthbert Boat Company. These industrial facilities were given building sites in the East End by the City during the 1920's. (Lehrer and Ways, 1924) The fishing industry also played a major role in the development of the East End. Fish and natural ice houses were located along the Sandusky Bay shoreline on First Street. During the Civil War years, the demand for fresh fish spurred the industry, but the greatness of Sandusky as a fish-producing center declined as the 19th century came to an end. By 1925, Erie, Pennsylvania surpassed Sandusky as the largest fish producer on Lake Erie. (Frohman, 1968) Other major industrial facilities which impacted Sandusky's development and history include the Hinde and Dauch Paper Company (inventors of corrugated cardboard), G & C Foundry, Vulcan Materials, Barr Rubber, Holland-Rieger Washing Machines along with many others.

### **CEDAR POINT**

Cedar Point, North America's second oldest amusement park, began its history around 1870. Prior to 1870, the Cedar Point Peninsula was mainly used for fishing and hunting. However, in the summer of 1870, local businessperson Louis Zistel opened a small beer garden, bathhouse and dance floor on the peninsula. He would bring guests over to Cedar Point on his steamboat, named the "Young Reindeer", for the price of 25 cents. Later years would bring a wide variety of rides, roller coasters, games and shows. (Cedar Point website, 2007) The G.A. Boeckling, Cedar Point's last steamboat to deliver passengers to the Point.

### **STREETCARS IN SANDUSKY**

A streetcar line, the East End-West End line, ran in the late 19th and early 20th centuries from the industrial plants on First Street to Monroe Street, Columbus Avenue, Water Street, Lawrence Street, Washington Street, Tiffin Avenue and to the Kuebler Brewery on Broadway Street. The City streetcar lines were eventually abandoned one by one in the 1920's as the automobile became more popular.





West Water Street and Jackson Street Looking East



Looking North onto Washington Park



East Market Street Looking West

## SECTION II

# HOW TO USE THESE GUIDELINES







## SECTION II: The Design Review Process

### Design Review Process

# INTRODUCTION

The preservation, restoration, rehabilitation, and overall aesthetic improvement of the community and downtown are matters of public necessity involving the health, safety, prosperity and welfare of the people. The city recognizes the value of preserving our cultural and architectural history in the city's listed historic properties and districts and the importance of assisting private property owners in creating a cohesive and attractively designed downtown area.

The following section provides a cohesive set of guidelines to assist property owners through the Landmarks review process. Any changes made to the exterior of any property covered under the authority of this document (including additions and new construction) must go through the design review process and receive approval in order to move forward.

This document is intended to make the process as simple as possible, to permit investment in Sandusky neighborhoods and downtown, to assist property owners in planning their projects, and protect the historic and cultural assets of the city.

#### PROPERTIES APPLICABLE TO DESIGN REVIEW

The most up to date maps of properties and districts subject to the authority of the design guidelines and Landmarks review process can be found on the City of Sandusky Website on the Planning and Zoning page.





## What are the Design Review Guidelines?

This document, the Sandusky Preservation Design Guidelines, was created to provide guidance to property owners who are planning exterior changes to their properties which are subject to the City's Design Review Process. The City's Design Review Regulations and Landmarks Preservation Ordinance require that properties within a historic district or individual historic buildings are subject to the preservation design guidelines review process. The Design Review Regulations provide for the City Commission to adopt additional guidelines for the Landmarks Commission and property owners to use during the Design Review Process.

## What is the Landmarks Commission?

The Sandusky Landmarks Commission consists of seven (7) members; the President of the City Commission or another member of the City Commission designated by the President and confirmed by the City Commission to serve in his place, and six (6) citizens of the City each of whom serve without compensation and are appointed by the City Commission for a term of three (3) years.

The Commission uses the design guidelines to review applications for historic properties and approves or denies Certificates of Appropriateness for projects based on the design guidelines and the Secretary of the Interior's Standards for Rehabilitation.

## SECTION II: The Design Review Process

### What is a Certificate of Appropriateness?

A Certificate of Appropriateness (COA) is an official document issued by the City which states which exterior changes to a designated landmark property were approved by the City. The authority for the City to issue COA's is contained within the City's Landmarks Preservation Ordinance (Section 1161 of the City's Code of Ordinances). Failure to obtain a COA or failure to follow the approvals or conditions documented within a granted COA is subject to enforcement as stated by the ordinance.

The criteria used to review projects for COA's are the Secretary of the Interior's Standards for Rehabilitation (see page 11 of this document), any relevant supplemental Design Briefs produced by the Secretary of the Interior, and the guidelines contained in Section II of this document.

### When do I need a Certificate of Appropriateness?

A Certificate of Appropriateness is not necessary for routine maintenance. It is necessary **when a change is being made to the exterior of a property** in the Downtown Design Review District and properties designated historic which involves any of the following actions: construction; reconstruction; or alteration of any property, structure, tree, sign, area, or object, including the changing of any exterior color or building material.



## How do I apply for a Certificate of Appropriateness?

If you need a Certificate of Appropriateness for your project, you must fill out the application for a Certificate of Appropriateness found on the forms page of the city website or obtained by the Division of Planning. Describe your proposed improvements in detail and submit the application with a high resolution electronic copy or full-size paper copy of plans and/or sketches of the proposed work, historic and current photographs of the property and color and/or material samples where appropriate. Proposals and applications should be submitted according to the instructions on the application.

## Enforcement and Penalties

The design guidelines and Certificate of Appropriateness are enforceable documents. If it is found that any of the provisions of these standards are being violated, a stop work order will be issued and a person or a corporation shall be guilty of a misdemeanor of the fourth degree if they fail to comply.

### **UPON RECEIPT OF A COA APPLICATION, IT WILL BE REVIEWED BY THE DIVISION OF PLANNING TO DISCOVER:**

- If more information is needed to complete the application
- If a COA is needed
- If a staff level review and approval is possible for the scope of work (staff may approve minor changes that are appropriate within the guidelines)
- If the application needs to be presented to the Landmarks Commission for approval

## SECTION II: The Design Review Process

### Approval Process for Granting Certificate of Appropriateness

If your application is acceptable and subject to Landmarks Commission review, staff will inform the applicant of the date, time, and location of the next regularly scheduled meeting where the case will be presented to the commission. Applicants or their authorized representatives are encouraged to attend the meeting where their proposal is presented in order to represent the case and answer questions. Staff may request additional documentation, material samples, or other relevant information to present at the Landmarks Commission meeting. The Landmarks Commission will evaluate proposed projects and will recommend either approval, approval with conditions, or denial of the application for a Certificate of Appropriateness.

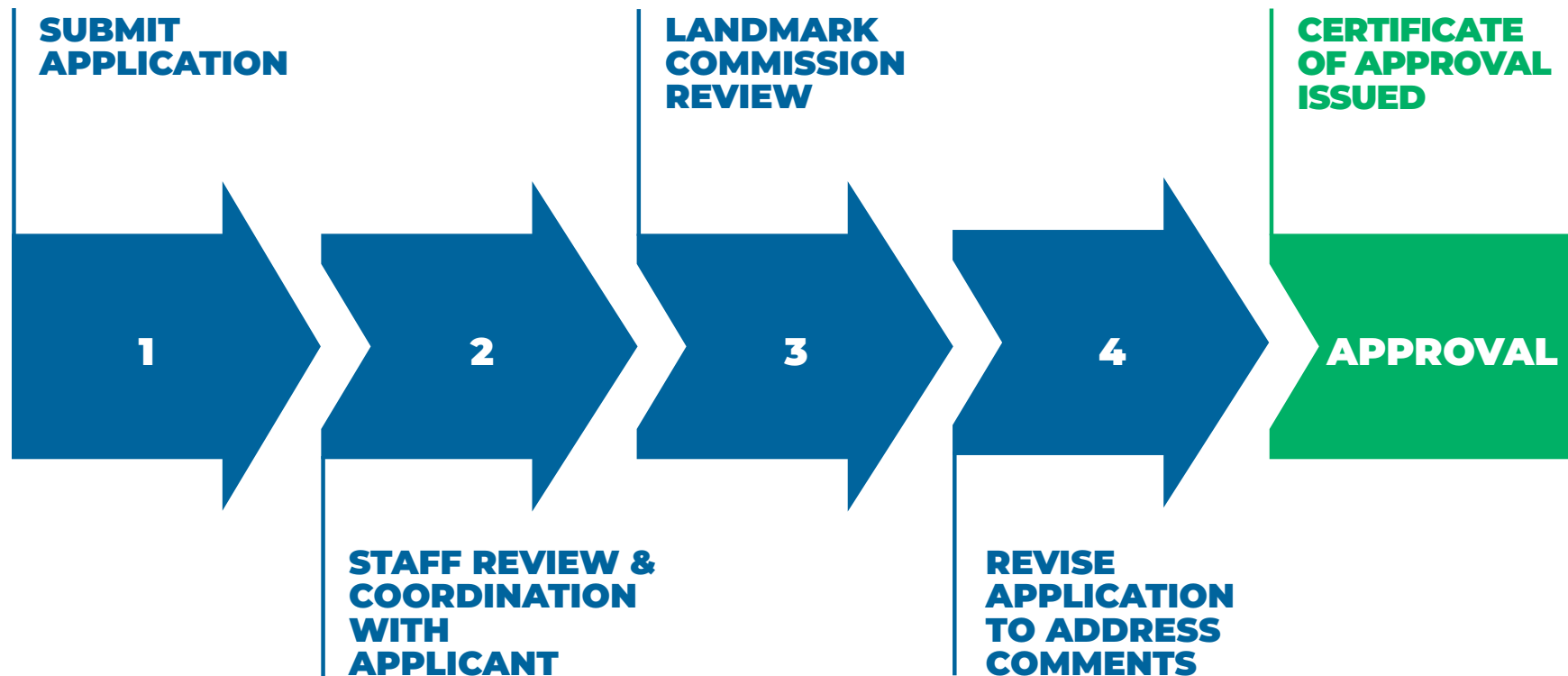
If your application is acceptable and subject to staff review, the Chief Planner will issue a Certificate of Appropriateness in a timely manner.

If the Committee, the property owner, and City staff are unable to work out a resolution for the owner's proposal, the owner may take the written decision of denial from City staff and make an appeal to the City's City Commission within ten days of the Landmark Commission hearing.

For property improvements requiring permits, after receiving approval of a Certificate of Appropriateness, the property owner may then obtain any necessary building permits for his or her project.

## Approval Process Flowchart

This flowchart represents a simplified version of the process for appropriate proposals.



## SECTION II: The Design Review Process

### Project Planning

Applicants are encouraged to discuss your proposed project with the Division of Planning for guidance and evaluation of the list of proposed project components for appropriateness within the guidelines. Often, projects include a mix of components including routine maintenance not requiring a COA, items that may be subject to staff approval, and items that are subject to Landmarks Commission approval. Staff can provide a path of approvals to applicants in order for projects to be able to move forward predictably and as swiftly as possible.

In the case of complex projects, such as building additions, whole-building renovation projects, or new construction, staff may suggest a preliminary review of the project at a Landmark Commission meeting before the official application is submitted. This can be a way for applicants to receive guidance from commissioners and staff before making costly investments in full scale architectural drawings that will be subject to Landmarks Commission approval before the project can move forward.

### Maintenance

Regular maintenance of your property once you have completed its rehabilitation is necessary. Poor maintenance practices diminish historic character and property values just as much as poor rehabilitation. Develop a seasonal inspection procedure in which you watch for trouble in gutters, downspouts, site drainage and roofing materials. Look for evidence of moisture damage to wood and masonry building components. Find and correct the causes—not just the symptoms—of any trouble right away.

### Interior Work

As you plan a project, consider the impact of interior work. Plumbing, heating, or electrical system work, for example, is not subject to review if it has no exterior visual impact on the building. If this work does create an exterior impact such as a new location for an AC condensing unit, then it is subject to review. Nonetheless, this work can have a significant impact on character and historic integrity. Avoid removing original walls and partitions if at all possible. Also avoid, as much as possible, excessive cutting through or removal of walls, baseboards, and floors while installing mechanical systems. Try not to let your building become just an historic shell, with a completely new interior devoid of historic features.

## Universal Accessibility (ADA)

The Americans with Disabilities Act (ADA) is a civil rights act with wide-ranging implications for both new and older buildings. In part, the intent of the act is to ensure that disabled people enjoy, to the maximum extent possible, the same access to buildings as people without disabilities. Both existing buildings and new structures are required to comply with ADA by removing architectural barriers to disabled people. Titles II and III of the Act address physical accessibility requirements of publicly-owned facilities (such as schools or city hall) and privately-owned facilities which are open to the public (such as stores, restaurants, and some offices).

Title V, Section 4.1.7 of the Act specifically addresses “Accessible Buildings: Historic Preservation”. It provides some flexibility in meeting accessibility requirements where such requirements would threaten or destroy the historic significance of the building in question.

Provisions of ADA apply regardless of whether an existing building is undergoing a complete rehabilitation. That is, the need to comply with ADA already exists and is not triggered by a decision to rehabilitate. If you have doubts about the applicability

of ADA to your building or about whether the historic preservation provisions may provide you some flexibility in complying, you should contact a qualified architect with ADA compliance experience.

Because ramps and lifts to provide the disabled with access to buildings can have a significant visual impact, location, design and materials are important. In general, these elements should be located at a side entrance to minimize their impact on the main façade. The design ramps and their handrails should be simple and contemporary and should not try to mimic any existing handrails. Materials should be the same as or similar to those used in the building itself. Avoid non-traditional materials such as unpainted wood; also, solid masonry walls which can make a ramp much more visually prominent than it needs to be, should be avoided.

If providing access to a building’s front entrance is only a matter of overcoming a few inches difference between sidewalk and entrance, consider redoing a portion of the sidewalk so that it is graded upward to overcome the height difference. In such a case, a handrail may not even be necessary.

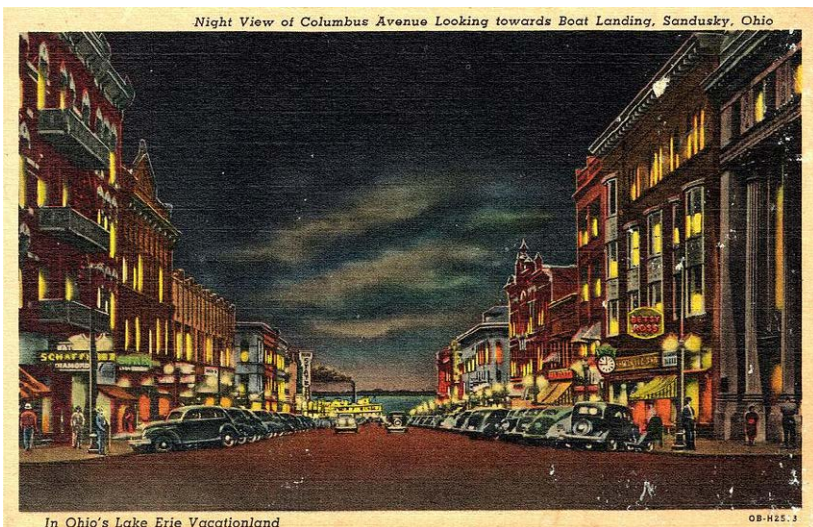
## SECTION II: The Design Review Process



### Secretary of the Interior's Standards for Rehabilitation

The primary standards which are used by the Landmarks Commission for reviewing proposed changes to properties are the U.S. Secretary of the Interior's Standards for Rehabilitation.

These Standards were originally published in 1977 and revised in 1990 as part of the Department of the Interior's regulations (36 CFR Part 67, Historic Preservation Certifications). They pertain to historic buildings of all materials, construction types, sizes, and occupancy and encompass the exterior and the interior of historic buildings (note: interior renovations are not reviewed by the city).





## **THE SECRETARY OF THE INTERIOR'S STANDARDS FOR THE TREATMENT OF HISTORIC PROPERTIES: REHABILITATION AS A TREATMENT AND STANDARDS FOR REHABILITATION**

1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.
2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.
3. Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.
4. Changes to a property that have acquired historic significance in their own right will be retained and preserved.
5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.
6. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.
7. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.
8. Archaeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.
9. New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.
10. New additions and adjacent or related new construction will be undertaken in a such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

## SECTION III

# DESIGN GUIDELINES







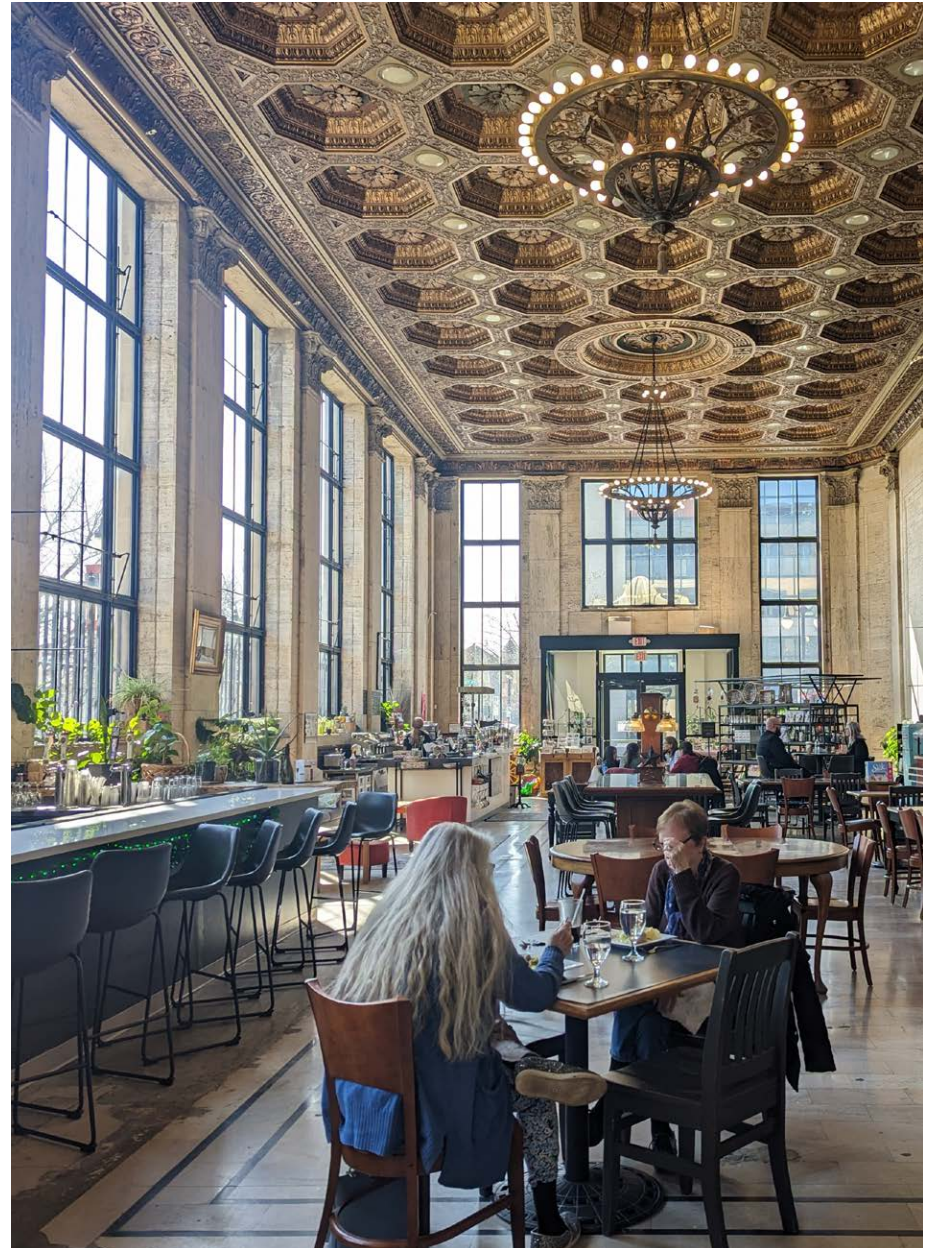


### Design Guidelines

# INTRODUCTION

This document, the Sandusky Design Preservation Guidelines, was created to provide guidance to property owners who are planning exterior changes to their properties which are subject to the City's Design Review Process. The City's Design Review Regulations and Landmarks Preservation Ordinance require that properties within a historic district or individual historic buildings follow the U.S. Secretary of the Interior's Standards for Rehabilitation for their projects. However, the Standards are brief and additional guidance is sometimes needed. The Design Review Regulations provide for the City Commission to adopt additional guidelines for the Landmarks Commission and property owners to use during the Design Review Process.

These guidelines are supportive of a legally binding review process for applicable properties. Landmarks Commission review may not be your only step in the project approval process. Other reviews, permits, inspections, etc may be required for your project. Check with staff for additional instructions.



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### 01. Existing Foundations

#### 01.01 PAINTING STONE FOUNDATIONS

Avoid painting foundation walls; instead leave them their natural stone color. The contrast of their light color with darker brick or painted siding is an original design feature.

#### 01.02 STUCCO

Stone foundations should not be covered with stucco. Not only does this dramatically change their appearance, it also can lead to problems with trapped moisture and may accelerate stone deterioration.

#### 01.03 BASEMENT WINDOWS

Basement windows should remain as windows.

#### 01.04 COVERING WINDOWS

If basement windows are to be covered, avoid filling them permanently with brick, stone or concrete block. Instead, use wood panels fastened to the window framing, or replace the window glass with a wooden or metal panel painted to blend in with the foundation color.

#### 01.05 WINDOW GRILLES

Be sure window grilles are kept clear of obstructions, and be sure to provide ventilation if basement windows are covered such as using a louvered vent in a wooden window covering. Leave grilles in place, even if the openings are blocked in.

#### MAINTENANCE KEYS

- 1 Keep vines and plantings off foundation walls because they may damage masonry and masonry joints.
- 2 Keep soil, mulch, firewood, and other items from piling up against a foundation wall because these materials can hold moisture close to the building when the goal is to keep the foundation dry. Make sure the ground has a slight slope away from the foundation.
- 3 Be sure that downspouts are connected to underground drains, or that they have extensions or splash blocks to keep water from pouring onto the ground adjacent to the foundation. Conduct regular inspections several times a year.



### COMMON STONE IN SANDUSKY



### COMMON BRICK IN SANDUSKY



PROPOSED TREATMENT	Item	Acceptability	Approval Process	Guideline
	Removing vines, vegetation, and debris	M	None	N/A
	Reconnecting downspouts or connecting drainage	M	None	N/A
	Painting exposed stone foundation	X	LC	1.01
	Repainting of already painted foundation with like-for-like materials and colors	M	None	N/A
	Covering stone foundations with stucco	X	LC	1.02
	Replacing existing basement windows	?	LC	1.03
	Covering existing windows	X	LC	1.04
	Replacing existing window grilles	?	LC	1.05

KEY	M	Maintenance Action	None	No approval required, coordinate with staff with any questions
	✓✓	Best Practice	LC	Staff evaluation and review by landmark commission, likely expedited approval
	✓	Good	LC	Staff evaluation and review by landmark commission; likely approval
	?	Case by Case Evaluation	LC	Staff evaluation and review by landmark commission, approval unknown
	X	Not Acceptable	LC	Staff evaluation and review by landmark commission, approval unlikely

### 02. Masonry

#### 02.01 EXISTING MASONRY REPAIR

Damaged masonry components may require replacement. If determined to be necessary, replace with stone and/or brick that matches in all visual qualities: style, form and color.

Existing masonry shall not be subjected to any high-powered cleaning methods, including sandblasting or power washing. This can damage brick, introduce excessive amounts of moisture into brick and stone, and create additional maintenance issues and irreparably damage the masonry. Use the gentlest means possible.

#### 02.02 SEALERS AND PAINT

Avoid masonry sealers such as silicone that will keep out liquid water but not water vapor. Once it penetrates the masonry, vapor can condense into liquid water that the sealer traps in the wall.

Masonry that is unpainted should not be painted, especially window lintels and sills and other stone trim.

If a mural is desired as part of a project application, see Section 19.

#### 02.03 PREVIOUSLY PAINTED MASONRY BUILDINGS

Painted masonry buildings should be left painted because the building may have been painted originally or early in its life; or the paint may cover damaged, soft, or unsightly masonry. Repainting should be done with an approved type of masonry paint.

#### MAINTENANCE KEYS









- 1 Consider not cleaning masonry; the darkened, weathered surface is a part of your building's history that ought to be preserved.
- 2 If cleaning is undertaken, begin with the gentlest effective technique - try hand scrubbing with a natural bristle brush and plain water before using potentially harmful and more expensive detergents or chemicals. Acceptable masonry cleaning specifications include use of detergent or chemical cleaners that have been tested on an inconspicuous patch of wall for effectiveness and for lack of masonry damage. Wash water pressure should not exceed 300 pounds per square inch (psi). Choose a reliable professional who is entirely familiar with testing and cleaning procedures.






## 02.04 MORTAR JOINTS

Avoid repointing with mortar that has too much cement. This type of mortar is generally not appropriate for historic masonry because it may be so hard that it causes the masonry itself to crack and spall. Mortar mixes that are commonly available in hardware stores typically have too much cement and should not be used. A custom mortar mix will likely be required to be compatible with the specific masonry type and age. The National Park Service has preservation briefs which provide guidance for this topic.

Be careful that any repointing work matches the building's original joint tooling as closely as possible. Especially avoid smearing mortar on existing masonry during construction.

Acceptable masonry repointing specifications include a mortar mix that has been selected by color.

PROPOSED TREATMENT	Item	Acceptability	Approval Process	Guideline
	Cleaning existing masonry with approved methods as noted in this section		None	N/A
	Sandblasting masonry		LC	2.01
	Replacing existing brick or stone masonry elements		LC	2.01
	Sealing masonry		LC	2.02
	Painting and/or sealing of exposed masonry walls		LC	2.02
	Repainting of already painted masonry walls		LC	2.03
	Repointing with appropriate mortar		LC	2.04
	Repointing with inappropriate mortar		LC	2.04

KEY		Maintenance Action	None	No approval required, coordinate with staff with any questions
		Best Practice	LC	Staff evaluation and review by landmark commission, likely expedited approval
		Good	LC	Staff evaluation and review by landmark commission; likely approval
		Case by Case Evaluation	LC	Staff evaluation and review by landmark commission, approval unknown
		Not Acceptable	LC	Staff evaluation and review by landmark commission, approval unlikely

### 03. Porches, Stoops, and Decks

#### 03.01 PRESERVATION OF PORCHES AND STOOPS

Porches and stoops, whether original or later additions, should be preserved in their historic forms. If they are deteriorated, they should be repaired to their original condition.

Even if doors are closed off and other entrances to the building are used, avoid removing original/historic stoops and porches. Always make it possible to use a doorway again in the future.

#### 03.02 REPLACEMENT OR EXPANSION

Most porches are very simple in design and detail. If a porch is to be added where one has been removed in the past, or if a porch is to be rebuilt or expanded, use a simple design and avoid the addition of false-historic brackets, scrollwork, spindles, and other decorative detail. Such features are appropriate only if physical or photographic documentation shows they existed on the building in the past.

When adding handrails to porches or stoops, avoid drilling or cutting original stone materials. Instead, try to mount handrails in the ground adjacent to steps.

#### 03.03 MATERIALS

Avoid brick as a material for porch bases, steps, or stoops because brick used in this way breaks the visual continuity of a light-colored stone foundation. Instead, use light-colored stone or construct these features out of concrete with a color similar to that of the local stone. Wood and mixed materials may also be acceptable based on the building style and application.

#### 03.04 RELATIONSHIP TO EXISTING ARCHITECTURE

Porches and stoops should be placed below the water table, which is described in the Foundations section. If porches are supported on piers, the spaces between the piers should allow adequate ventilation to reach the space beneath the porch to keep it dry. Porch roofs should have adequate flashing to prevent water from running behind the joint with the house's facade.

#### 03.05 DECKS

Wood decks may be appropriate if they are constructed on a non-street facing elevation. Wood decks should have an appropriate stain and/or paint that is complementary to other site and building elements.



## MIXED MATERIALS



## MATCHING BRICK



PROPOSED TREATMENT	Item	Acceptability	Approval Process	Guideline
	Repair of original porch with like-for-like materials or original materials	M	None	3.01
	Adding new materials to existing historic porch	?	LC	3.01
	Constructing a new porch on street-facing elevation	X	LC	3.02
	Removing a historic porch	X	LC	3.04
	New deck on street facing elevation and/or street facing side yard	X	LC	3.05
	New deck on non-street facing elevation	✓	LC	3.05
	New code-compliant railings with appropriate materials and installation	?	LC	3.03
	Staining or painting existing elements with like-for-like materials	M	None	3.01
	Staining or painting existing elements with a new color	?	LC	3.03

KEY	M	Maintenance Action	None	No approval required, coordinate with staff with any questions
	✓✓	Best Practice	LC	Staff evaluation and review by landmark commission, likely expedited approval
	✓	Good	LC	Staff evaluation and review by landmark commission; likely approval
	?	Case by Case Evaluation	LC	Staff evaluation and review by landmark commission, approval unknown
	X	Not Acceptable	LC	Staff evaluation and review by landmark commission, approval unlikely

### 04. Residential Awnings

#### 04.01 SOLID AWNINGS

On a case-by-case basis, solid awnings that reflect historic fabric awnings may be acceptable. Avoid rounded or “bullnose” awning shapes on both residences and commercial buildings unless documentation shows they were used on that building historically. Bullnosed shapes were fairly rare; the simple flat type, which were much more common because they were intended to replicate the visual appearance of retractable fabric awnings, were more appropriate.

#### 04.02 FABRIC AWNINGS

Avoid awning fabric that has too complex a design: use a minimum of colors, keyed to the body and trim colors of the building (**See the Color section**). If a scalloped edge is desired, use a simple scallop. Avoid drapes and swags that hang below the scalloped edge.

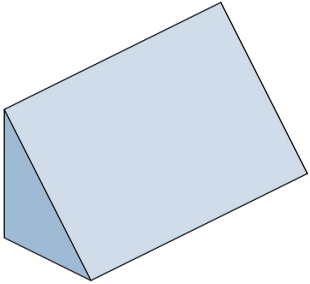
#### 04.03 HARDWARE

Avoid removing original mounting hardware from historic awnings, if possible. Try to retain and repair any original hardware; if it must be replaced, try to match it as closely as possible, especially the retractable type.

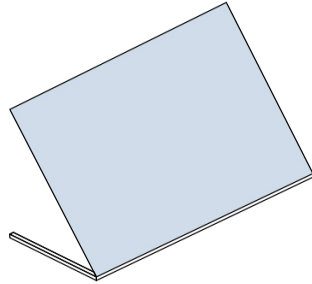
PROPOSED TREATMENT	Item	Acceptability	Approval Process	Guideline
	Repair of existing solid awning with like-for-like materials	M	None	4.01
	Removal and replacement of existing solid awning with like-for-like materials	?	LC	4.01
	Replacement of existing fabric awning with like-for-like materials	M	None	4.02
	Construction of new solid awning	?	LC	4.01
	Installation of new fabric awning	?	LC	4.02
	Removal of existing or original hardware	X	LC	4.03

KEY	M	Maintenance Action	None	No approval required, coordinate with staff with any questions
	✓✓	Best Practice	LC	Staff evaluation and review by landmark commission, likely expedited approval
	✓	Good	LC	Staff evaluation and review by landmark commission; likely approval
	?	Case by Case Evaluation	LC	Staff evaluation and review by landmark commission, approval unknown
	X	Not Acceptable	LC	Staff evaluation and review by landmark commission, approval unlikely

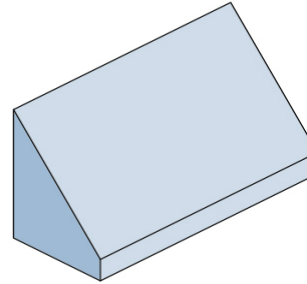
## AWNING TYPES



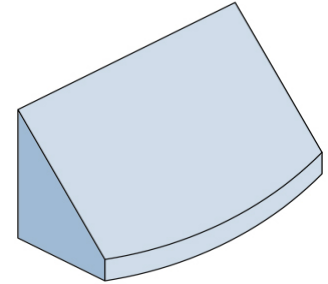
✓ SLANT AWNING



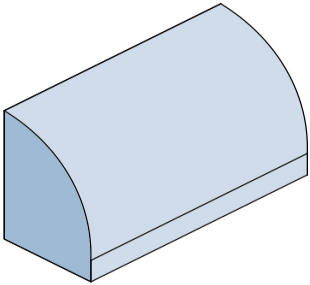
✓ FLAT PANEL AWNING



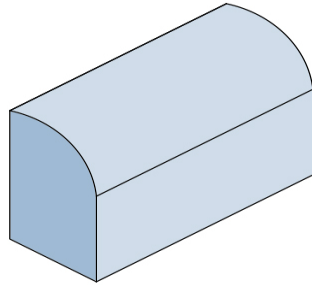
✓ SHED AWNING



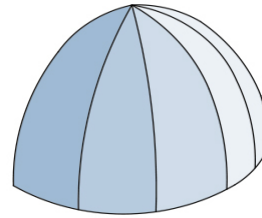
? ARCH AWNING



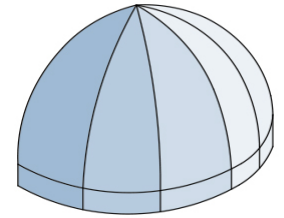
? QUARTER ROUND AWNING



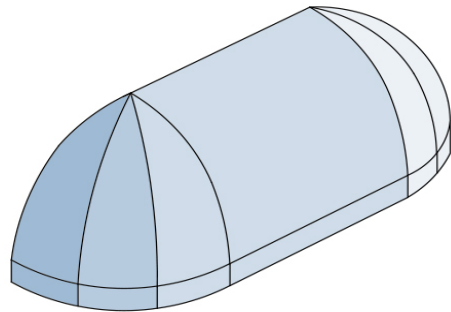
? WATERFALL AWNING



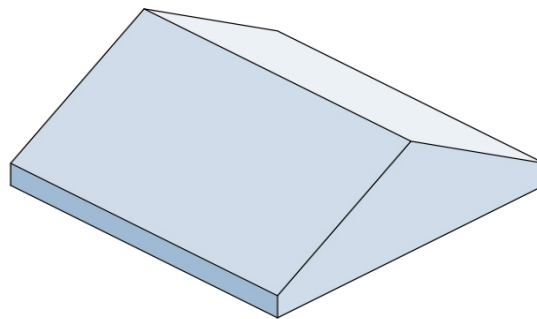
? DOME AWNING



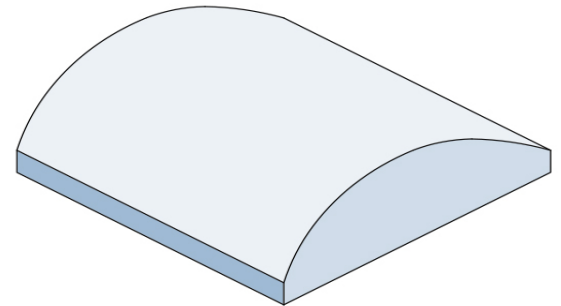
? DOME AWNING WITH PANEL



? BULLNOSE AWNING



? GABLE MARQUEE AWNING



? ROUND MARQUEE AWNING

### 05. Siding

#### 05.01 EXISTING SIDING

If original or existing siding survives on a building, it should be repaired and preserved. Sometimes asphalt, cement, or other types of shingles or coverings have been applied, and very often the original siding underneath is in surprisingly good condition.

#### 05.02 REPLACEMENT / REPAIR SIDING

Replacement or repair of wood siding should be wood and should match any existing siding in appearance. Siding should be selected from the types illustrated here, using the correct siding for the building's era.

#### 05.03 ALTERNATIVE SIDING PATTERNS

Only if physical, written, or photographic evidence shows that your building had another type of siding in the past can you consider changing the siding (for example, from horizontal to board-and-batten). Always base such choices on sound research.

#### 05.04 SIDING COVERAGE

Siding should cover only areas that were originally covered by siding, and the new siding should duplicate the appearance of the original as closely as possible. Shingles or vertical siding should be repaired or replaced in kind rather than being replaced with horizontal artificial siding.

#### 05.05 ARTIFICIAL SIDING

Artificial siding on historic structures is strongly discouraged. However, if such siding is proposed, be prepared to show that architectural trim such as cornerboards, window trim, door trim, soffits, fascias, and other ornamentation and detail will be retained, and repaired, if necessary, and that the new siding will match the width and profile of the original. Any source of moisture or other problems affecting the original siding must be found and corrected.

#### 05.06 PAINTING SIDING

Painting is generally the appropriate treatment for wood siding in Sandusky. Avoid varnishes, stains, and bare, weathered wood. If wood siding won't hold paint, find and cure the problem (often interior moisture generation), don't just cover it up with new materials.

If a building has wood shingle siding, stain can be an appropriate treatment.





## WOOD SIDING

- SIMPLE CLAPBOARD PROFILE
- SMOOTH & PAINTED
- EASILY REPAIRED



## FIBER CEMENT SIDING

- SMOOTH & PAINTED
- EASILY REPAIRED
- CLOSELY MIMICS CHARACTER, TEXTURE, AND DURABILITY OF WOOD SIDING



## VINYL SIDING

- VINYL SIDING IS NOT AN APPROPRIATE REPLACEMENT SIDING MATERIAL

PROPOSED TREATMENT	Item	Acceptability	Approval Process	Guideline
	Repair of existing Wood siding	M	None	5.02
	Painting of existing wood siding with same color	M	None	5.06
	Installation of new wood siding	✓✓	LC	5.02
	Installation of new fiber cement	?	LC	5.05
	New composite or engineered siding	?	LC	5.05
	New vinyl siding	X	LC	5.05
	Replacement of existing vinyl siding	?	LC	5.01
	New aluminum siding	?	LC	5.05
	Other treatments	?	LC	5.04

KEY	M	Maintenance Action	None	No approval required, coordinate with staff with any questions
	✓✓	Best Practice	LC	Staff evaluation and review by landmark commission, likely expedited approval
	✓	Good	LC	Staff evaluation and review by landmark commission; likely approval
	?	Case by Case Evaluation	LC	Staff evaluation and review by landmark commission, approval unknown
	X	Not Acceptable	LC	Staff evaluation and review by landmark commission, approval unlikely

### 06. Entrances & Doors

#### 06.01 ORIGINAL DOORS

Preserve and maintain any older or original door and existing historic entrance features. If elements must be replaced due to deterioration, replace them in kind, matching materials, details, and finish as closely as possible.

#### 06.02 GLASS REPLACEMENT AND REPAIR

Use plain rectangular panes of clear glass with a simple muntin profile, where appropriate. Avoid using stained or leaded glass in transoms, sidelights, or door windows, unless physical, pictorial, or written evidence shows that these materials were used.

Replace broken door glass with plain clear glass and avoid multiple- or diamond-paned, “Coke bottle,” or bullseye glass in doors. While some doors (especially from the 1880s on) had beveled or leaded glass in decorative patterns, most doors with windows had plain, clear-glass windows.

#### 06.03 NEW DOORS

Consider the architectural style of a building when considering entrance doors. Avoid heavily carved, ornate doors on simple buildings. The same is true of large ornamental hardware such as door knobs, locks, and hinges.

#### 06.04 STORM DOORS

When storm doors are installed, they must be of simple design, preferably in wood and with a full-height glass section that permits full view of the main door. Decorative features such as stick-on decorative hinges, scalloped edges around window openings, and “crossbuck” panels must be avoided.

Heavy, ornate metal security grille doors are not approvable. Acceptable security doors must have the appearance of ordinary storm doors.

### **06.05 UNUSED DOOR OPENINGS**

If an entrance will no longer be used, avoid removing the door and filling in the opening. Leave the door in place and fix it shut. A small sign or some plant materials can be used to indicate that another door is to be used. Always make such alteration work as reversible as possible so that doorways can be used again in the future with minimal work.

### **06.06 COMMERCIAL DOORS**

Residential doors should not be used on commercial buildings, unless it can be shown that residential doors were originally used.

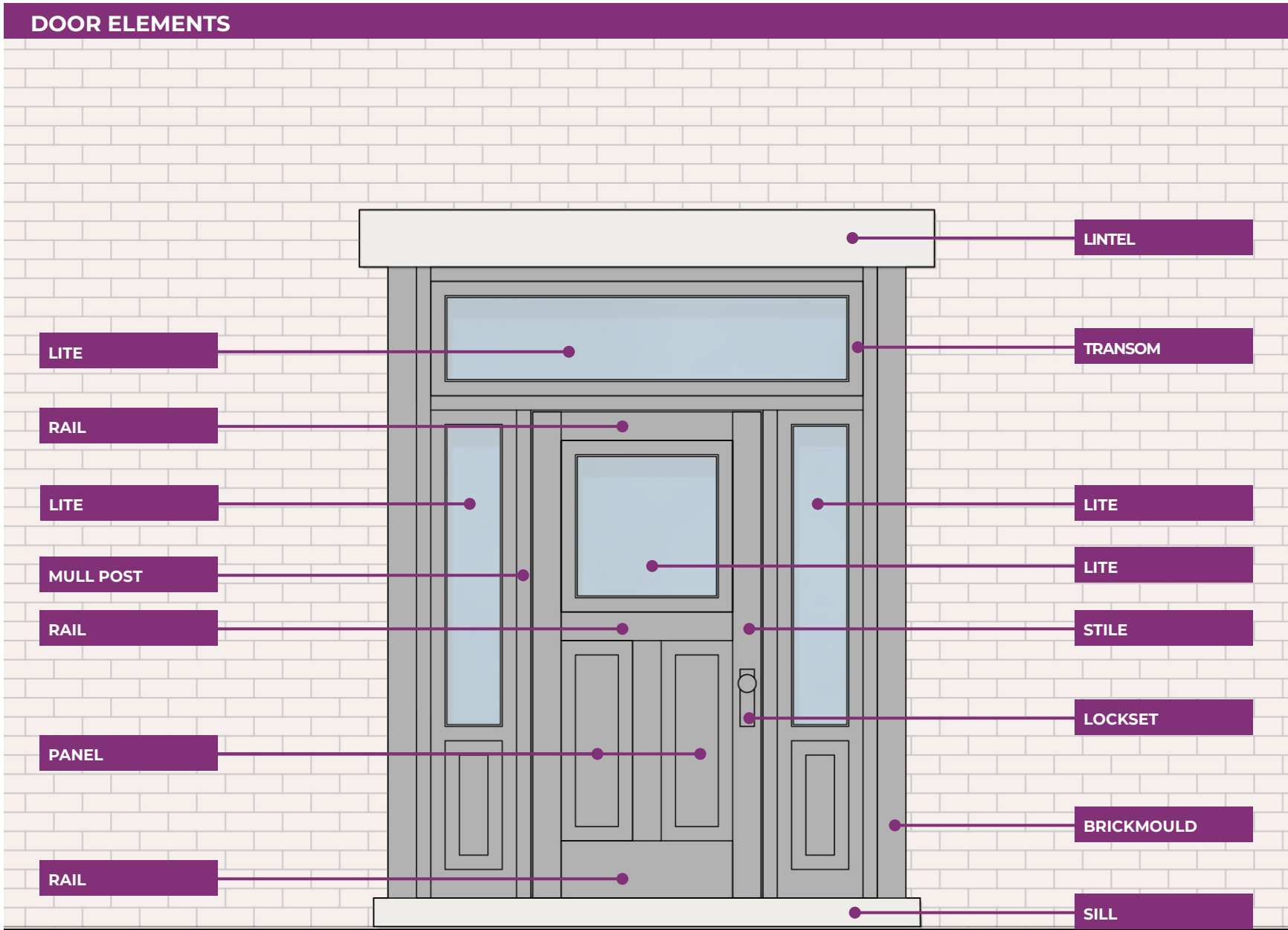
### **ENERGY CONSERVATION KEYS**

Energy conservation efforts, too, can have a significant impact on your building's integrity. As you plan energy-related projects, keep these principles in mind:

Most energy loss is through air infiltration at doors and windows and through the roof, not by means of radiation through walls. Rather than adding sidewall insulation requiring plaster or siding removal, or interfering with interior trim, make sure your windows and doors are properly caulked, inside and outside, weather-stripped and tight. Be sure also to have good storm windows and doors.

Try to use storm windows over your building's old windows rather than replacing them with new insulated glass window units.

Be sure your insulation has a vapor barrier facing the interior or the warm side of a ceiling or attic. Insulating without a vapor barrier can cause moisture problems and can actually render your insulation ineffective.





## STAINED ORIGINAL DOORS



## PAINTED ORIGINAL DOORS



PROPOSED TREATMENT	Item	Acceptability	Approval Process	Guideline
	Repair of existing historic doors and trim with like-for-like materials	M	None	6.01
	New matching doors in historic openings	✓	LC	6.03
	Changes to street facing historic doors and openings	?	LC	6.05
	Changes to non-street facing historic doors and openings	?	LC	6.05
	Fixing historic doors in place	M	None	6.01
	Install new appropriate storm door	✓	LC	6.04

KEY	M	Maintenance Action	None	No approval required, coordinate with staff with any questions
	✓✓	Best Practice	LC	Staff evaluation and review by landmark commission, likely expedited approval
	✓	Good	LC	Staff evaluation and review by landmark commission; likely approval
	?	Case by Case Evaluation	LC	Staff evaluation and review by landmark commission, approval unknown
	X	Not Acceptable	LC	Staff evaluation and review by landmark commission, approval unlikely

### 07. Windows

#### 07.01 ORIGINAL WINDOWS

Surviving older or original wood windows should be preserved. They should be repaired, if necessary, to make them sound and tight. Even if existing windows are not original, they may be significant enough to warrant preservation. Additionally, the high quality of the wood used in historic windows warrants their preservation because they are likely more durable than windows built with lumber harvested today.

#### 07.02 WINDOW REPAIR

Deteriorated pieces of wooden window sash or framing should be replaced in kind with new wooden pieces of the same dimensions and appearance.

#### 07.03 WINDOW REPLACEMENT

If existing windows are too deteriorated to repair, wooden replacements windows must duplicate the appearance of the existing windows as closely as possible—in number of panes, thickness of muntins, thickness of sash sides and rails, and profiles and details of framing members (if these, too, must be replaced). Multiple-paned sash such as six-over-six should be used only if physical or photographic evidence exists showing that such sash were used in the building in the past.

#### 07.04 MUNTINS

Avoid using applied, snap-in, or sandwich-type (between two panes of glass) muntins. If real “through-the-glass” muntins cannot be used, then the windows should be of one-over-one design.

#### 07.05 STORM WINDOWS

To improve energy efficiency, storm windows are appropriate to use. Traditional wooden fixed or removable storms are appropriate; or modern triple-track units may be installed. In either case, it is important that the storm window color match the existing trim color. Aluminum storms should be painted rather than using bare metallic aluminum.

Also, the storm windows should have the same divisions as the windows being covered: double-hung sash should be covered with two-part storms divided at the point where the windows’ meeting rails fall. Single fixed windows, such as in gables, can be covered with a single-frame storm. In some cases, existing older window sash are thick enough to be reglazed with double thickness insulated glass, rather than being replaced with new insulated windows; but try storm windows first.

## 07.06 NEW WINDOWS

Avoid enlarging or downsizing any existing window openings. Replacement windows should be made to fit the openings and not vice versa.

Clad wood windows are appropriate as replacement. The appearance of clad windows should mimic the appearance of the original wood windows.

Vinyl and/or fiberglass replacement windows are not appropriate.

## 07.07 WINDOW OPENINGS

Window openings should not be modified.

Replacement windows or new windows should fill the entire window opening in the same fashion as the original historic windows.

PROPOSED TREATMENT	Item	Acceptability	Approval Process	Guideline
	Repair existing historic windows		None	7.01
	Install new windows that match with like-for-like windows		LC	7.03
	Install new clad wood or aluminum windows		LC	7.05
	Install new vinyl or solid fiberglass windows		LC	7.06
	Install new wood or appropriate aluminum storm windows		LC	7.04
	Preserving historic windows by replacing single pane glass with double pane glass		LC	7.01
	New or altered window openings		LC	7.07
	Staining or painting existing elements with like-for-like materials		None	7.02
	Staining or painting existing elements with a new color		LC	7.02

KEY		Maintenance Action	None	No approval required, coordinate with staff with any questions
		Best Practice	LC	Staff evaluation and review by landmark commission, likely expedited approval
		Good	LC	Staff evaluation and review by landmark commission; likely approval
		Case by Case Evaluation	LC	Staff evaluation and review by landmark commission, approval unknown
		Not Acceptable	LC	Staff evaluation and review by landmark commission, approval unlikely



**SECTION III:** Design Guidelines

**RETAINING ORIGINAL WINDOW SHAPES**



**WOOD WINDOWS**



**RETAINING ORIGINAL WINDOW SHAPES**

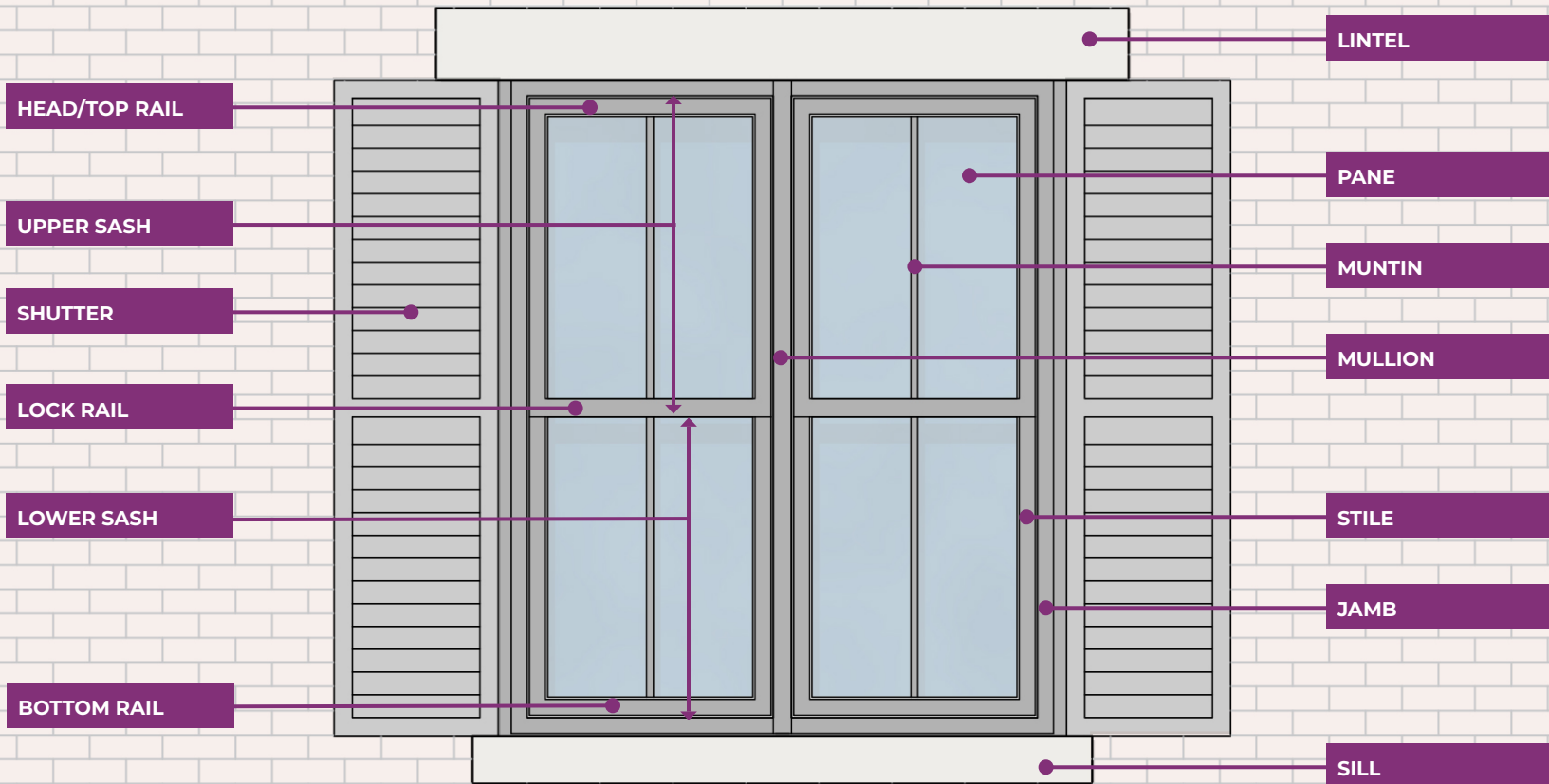


**VINYL WINDOWS**





## WINDOW FEATURES



### 08. Gutters & Downspouts

#### 08.01 BOX AND STOP GUTTERS

Preserve and repair existing box and stop gutters. Box and stop gutters may require more attention than suspended gutters. To repair leaky box or stop gutters, reline them with membrane roofing. If part or all of the gutters and downspouts must be replaced, try to match the original materials. Paint gutters and downspouts to match your trim colors or in colors compatible with the existing trim. Additionally, residential gutters are often undersized for the slope of the roof. Replacements should be adequately sized to avoid overflows.

#### 08.02 GUTTER HARDWARE

Refasten the gutter support straps under roofing materials, not on the roof surface.

#### 08.03 DOWNSPOUT HARDWARE

When downspout support brackets become loose, refasten them in the mortar joints, rather than on brick or stone surfaces. Refasten the gutter support straps under roofing materials, not on the roof surface.

#### 08.04 PAINTED DOWNSPOUTS

If downspouts have are painted, they should match the existing trim color.

#### MAINTENANCE TIPS

- 1** Through preventive maintenance, you can not only preserve your roof, gutters, and downspouts but also avoid costly replacements. Remove leaves, branches, and debris from your gutters regularly. If you install screens on your gutters to keep out debris, remember to clean off the screens, too.
- 2** When it rains, watch to see if your downspouts are clear; once plugged, they tend to freeze and burst.  
  
Also inspect the gutter supports and downspout support brackets to be sure they are secure. Keep these brackets painted to avoid rust-stained walls and foundations.

### BOX GUTTER



### HALF ROUND GUTTER



### K-STYLE GUTTER



### MATCH TRIM COLOR



PROPOSED TREATMENT	Item	Acceptability	Approval Process	Guideline
	Preserving existing box gutters	M	None	8.02
	Replacing box gutters on street facing facade	X	LC	8.02
	Replacing gutters and downspouts with like-for-like materials	✓	LC	8.01, 8.02
	Replacing gutters and downspouts with a different style	X	LC	8.02
	Replacing gutters and downspouts with different materials	?	LC	8.02
	Painting existing gutters and downspouts with like-for-like color	M	None	N/A
	Painting existing gutters and downspouts with new color	?	LC	8.04

KEY	M	Maintenance Action	None	No approval required, coordinate with staff with any questions
	✓✓	Best Practice	LC	Staff evaluation and review by landmark commission, likely expedited approval
	✓	Good	LC	Staff evaluation and review by landmark commission; likely approval
	?	Case by Case Evaluation	LC	Staff evaluation and review by landmark commission, approval unknown
	X	Not Acceptable	LC	Staff evaluation and review by landmark commission, approval unlikely

### 09. Roofs

#### 09.01 HISTORIC ROOF REPAIR

Because of its importance as a design element, you will want to repair your existing historic roof, especially if it has a decorative pattern or if the roof is visible from the street. Historic slate roofs have substantial longevity and often require only periodic minor repair to remain functional for decades. Many times slates and other materials are in good condition but slip out of place when nails become rusted. Use copper nails when repairing your slate roof.

If a replacement of a slate roof is appropriate, choose a new asphalt shingle or something similar, in slate-gray. Original roof materials and design including color and texture should be maintained and repaired. Place the color sample next to the building or even on the roof. Better yet, try to find an existing roof in that color so you can see the color on an entire roof. A small roofing sample can be misleading.

In the instance that the roof material is a defining element of the architectural style, the roof material shall be maintained. Examples of this include clay tile and cedar roof shingles.

#### 09.02 ASPHALT SHINGLE REPAIR/REPLACEMENT

Existing asphalt shingles should be repaired and/or replaced with a similar style and color.

#### 09.03 SKYLIGHTS

Skylights are appropriate on roof surfaces that are not visible from a public right-of-way and are not on a principal facade.

#### MAINTENANCE TIPS

- 1 Take time periodically to look at your roof; check for broken slate, bulging shingles, or rusted metal. Also look at the metal flashing where chimneys or roof surfaces meet; metal flashing should neither bulge nor be loose.



## COMPLIMENTARY ARCHITECTURAL STYLE



### 09.04 ROOF SHAPE

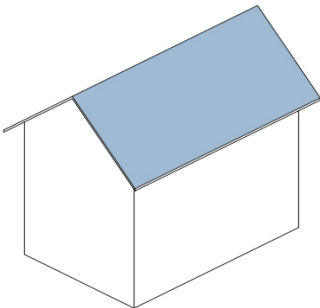
The existing roof shape should not be modified. Examples of this would include modifying a gabled roof to a hip roof or adding a mansard roof as part of a renovation project.

Rooftop access structures and dormers are discussed in a separate section.

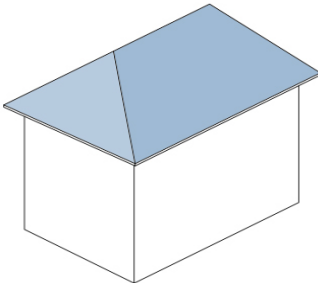
PROPOSED TREATMENT	Item	Acceptability	Approval Process	Item
	Historic roof shape preserved as part of maintenance project	M	None	9.04
	Repairing historic roof with like-for-like materials	M	None	9.01
	Replacing historic roof with asphalt shingles	?	LC	9.01
	Replacing existing asphalt shingles with similar type and color	✓✓	LC	9.03
	Replacing existing asphalt shingles with different type or color	?	LC	9.03
	Changing roof shape	X	LC	9.04
	Adding non-visible skylight	?	LC	9.05

KEY	M	Maintenance Action	None	No approval required, coordinate with staff with any questions
	✓✓	Best Practice	LC	Staff evaluation and review by landmark commission, likely expedited approval
	✓	Good	LC	Staff evaluation and review by landmark commission; likely approval
	?	Case by Case Evaluation	LC	Staff evaluation and review by landmark commission, approval unknown
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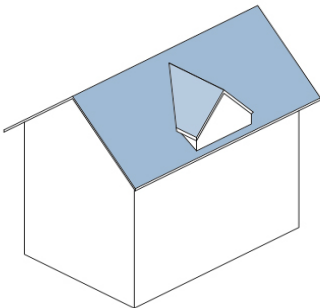
ROOF SHAPES



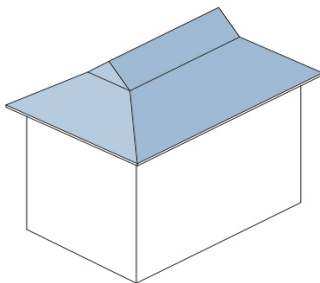
GABLE ROOF



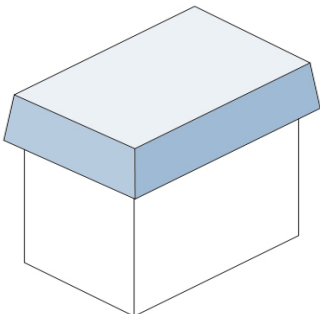
HIP ROOF



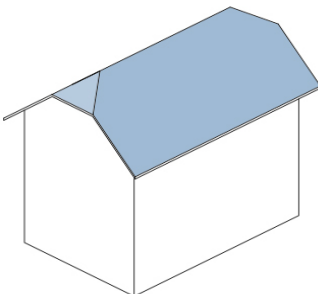
DORMER ROOF



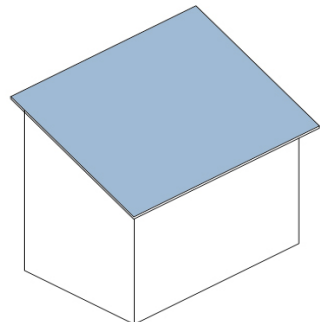
DUTCH ROOF



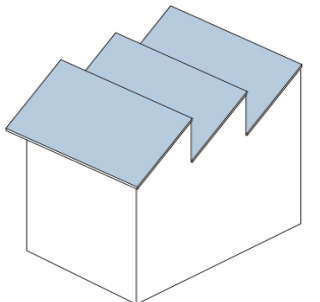
MANSARD ROOF



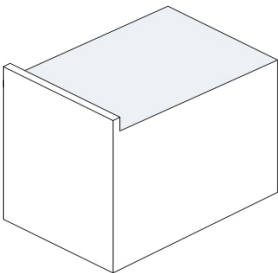
JERKINHEAD ROOF



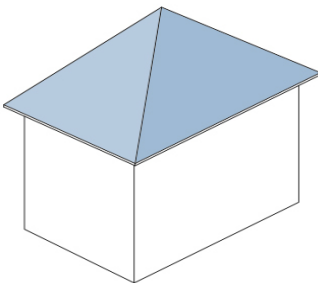
SKILLION ROOF



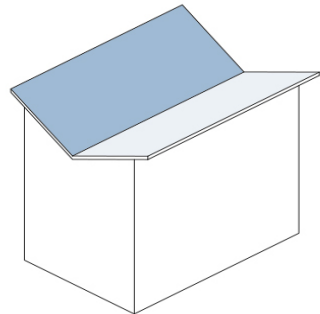
SAWTOOTH ROOF



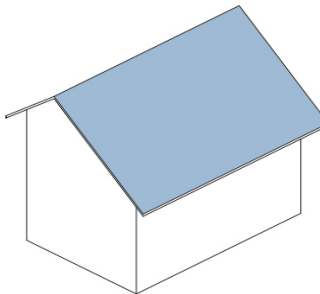
FLAT ROOF



PYRAMID ROOF



BUTTERFLY ROOF



SALTBOX ROOF

**SIMPLE GABLED ROOF**



**SIMPLE HIPPED ROOF**



**COMPLEX GABLED ROOF**



**COMPLEX HIPPED ROOF**



## 10. Rooftop Additions, Access, and Use

### 10.01 APPROPRIATE ROOF ACCESS

Roof access structures should be located in the middle of the structure and should not be visible from the adjacent right-of-way.

### 10.02 ENCLOSED ROOFTOP ADDITIONS

Enclosed rooftop additions must be set back from the principal facade of the building. Efforts should be made to eliminate visibility from adjacent public spaces and rights-of-way.

### 10.03 ROOFTOP SEATING AREAS











Rooftop seating areas may be located on the entire roof of the building, but the visible impact should be minimized to the extent possible.

### 10.04 ROOFTOP RAILINGS

Rooftop railings should be transparent as possible. Use of cable, metal, and glass railings is encouraged.

### 10.05 PERMANENT SHADE AND OPEN AIR STRUCTURES

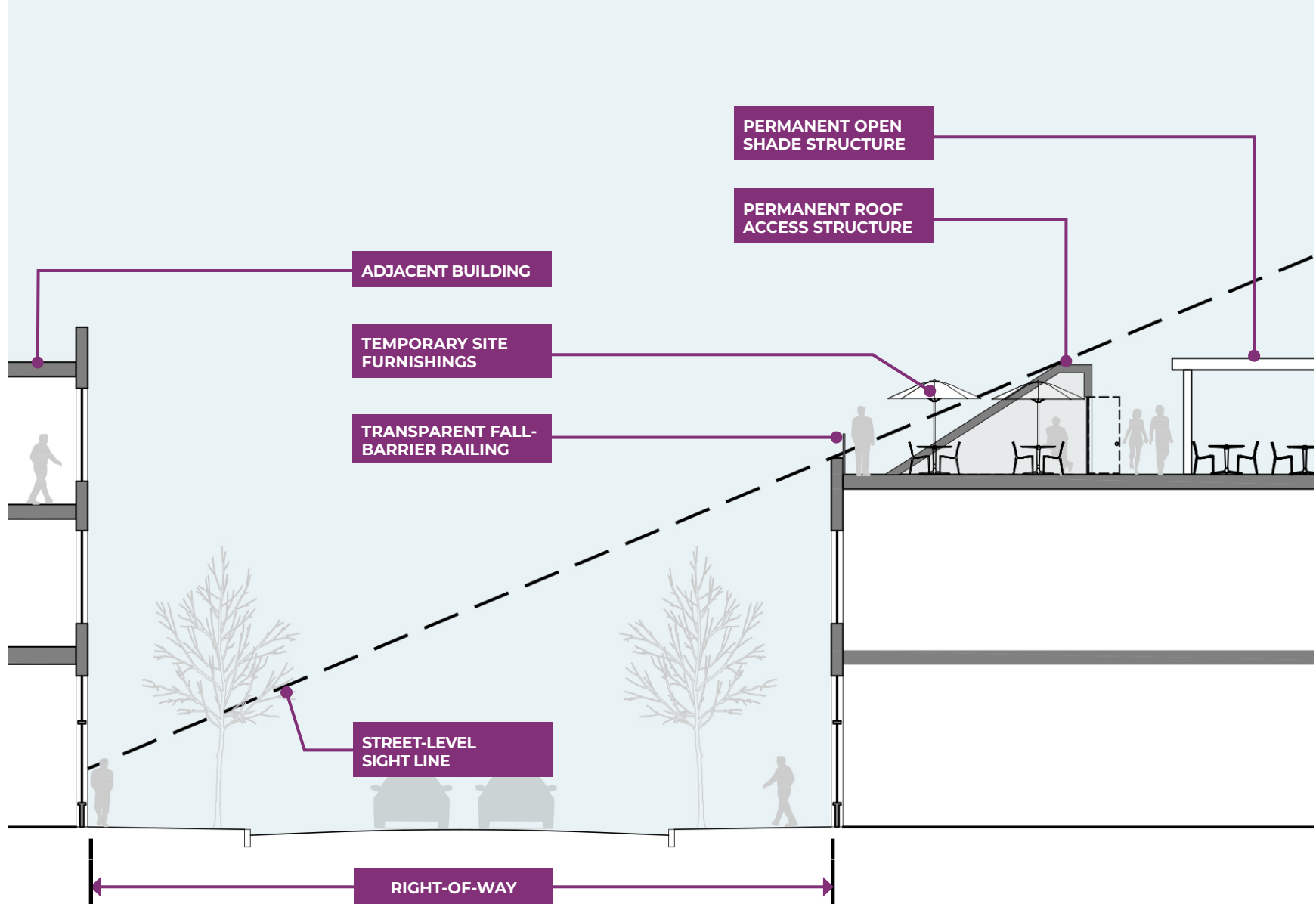
Shade and open air structures should be sited on the rooftop so that they are not visible from the adjacent right-of-way. Temporary items such as umbrellas are not considered to be permanent.

PROPOSED TREATMENT	Item	Acceptability	Approval Process	Guideline
	New rooftop access structure that is visible from adjacent right-of-way of principal facade		LC	10.01
	New rooftop access structure that is not visible from adjacent right-of-way of principal facade		LC	10.01
	New rooftop addition that is visible from the adjacent right-of-way		LC	10.02
	New rooftop addition that alters the principal facade of the building		LC	10.02
	New rooftop addition that has limited visual impact on the principal facade and right-of-way		LC	10.02
	Rooftop seating area that has limited visual of principal facade		LC	10.03
	Rooftop seating area with highly transparent railings		LC	10.04
	Rooftop seating area with opaque railings and other design features		LC	10.04
	Enclosed rooftop structures or access with vinyl siding		LC	10.05
	Enclosed rooftop structures with proper siting, siding, color, and trim		LC	10.05

KEY	M	Maintenance Action	None	No approval required, coordinate with staff with any questions
	✓✓	Best Practice	LC	Staff evaluation and review by landmark commission, likely expedited approval
	✓	Good	LC	Staff evaluation and review by landmark commission; likely approval
	?	Case by Case Evaluation	LC	Staff evaluation and review by landmark commission, approval unknown
	X	Not Acceptable	LC	Staff evaluation and review by landmark commission, approval unlikely



## ROOFTOP ELEMENTS



### 11. Cornices, Friezes, & Ornamentation

#### 11.01 MAINTENANCE AND REMOVAL

Avoid removing cornice and frieze elements because this results in a blank, unfinished look on a building. Repair these elements or replace them to match the original. Wood moldings and a variety of sheet metal shapes are available for such work.

Maintain and repair any surviving eave trim, or replace it in kind, if replacement is necessary. Eave moldings are readily available in a variety of profiles and are an important decorative element.

Be sure that cornices and friezes are protected and left in place during any re-siding work or masonry cleaning. See the recommendations in **Section 12. Paint and Color Palette** for information on painting cornices and friezes.

#### 11.02 ADDITION OF ORNAMENTATION

Avoid adding cornice and frieze elements as extra ornamentation on a building, unless physical or photographic evidence shows that the building historically had these features.

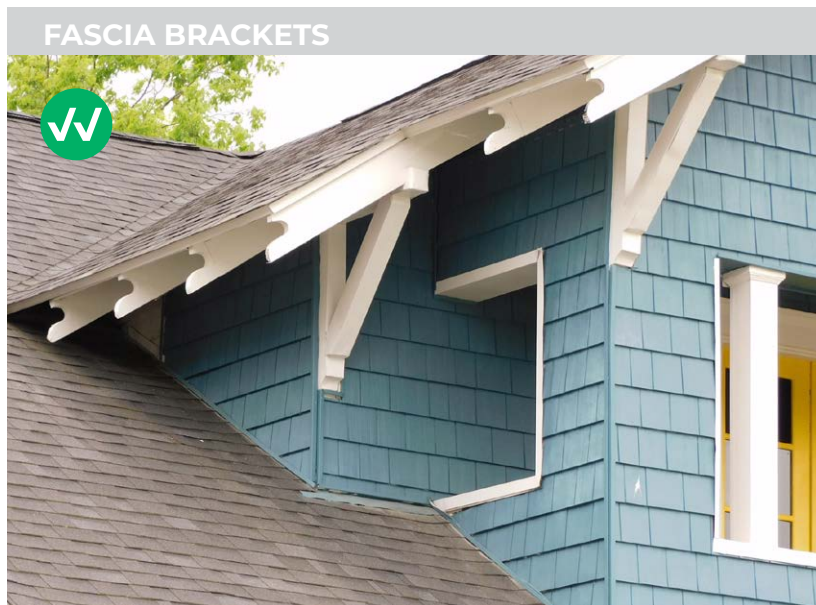
#### 11.03 PRESERVATION OF ORNAMENTAL DETAILS

Important original features such as brackets, hoodmolds, and other details should be repaired and preserved. Avoid removal of window trim and details such as cornerboards, and when these features are repaired or replaced, the new pieces should match the originals exactly.

Avoid adding ornamentation not suited to the period of a building, unless physical or photographic evidence exists to show that the building had such detail in the past. Resist the temptation to “dress up” the building to make it “more historic.”

#### 11.04 SHUTTERS

Avoid adding shutters, unless there is firm evidence that the building had shutters in the past. If shutters are appropriate, be sure they are the correct height and width to cover the window completely when closed; they should be true operable shutters. An exception to this is if decorative shutters are original to the building, then shutters should be closely resemble the original shutters.



### 11.05 UNPAINTED LINTELS AND SILLS

Unpainted stone or masonry lintels over windows should be left unpainted.

### 11.06 PAINTED LINTELS AND SILLS

Painted stone or masonry lintels can either be left painted or be stripped of paint with a gentle chemical cleaner. The selection of a chemical cleaner on painted wood lintels and sills should be carefully considered as some strippers will prevent new paint from bonding on the wood.

PROPOSED TREATMENT	Item	Acceptability	Approval Process	Guideline
	Repair of existing ornamental elements with like-for-like materials	M	None	11.01
	Removal of existing ornamental elements	X	LC	11.01
	Addition of false-historic ornamental elements	X	LC	11.02
	Addition of ornamental elements with photographic evidence to show restoration	✓	LC	11.03
	Adding false-historic shutters to a historic building	X	LC	11.04
	Adding shutters to a historic building with firm evidence of their original existence	✓	LC	11.04
	Painting of previously unpainted lintels and sills	X	LC	11.05
	Painting of previously painted lintels and sills	✓	LC	11.06
	Removal of paint on previously painted windows and sills with approved methods	✓✓	LC	11.06

KEY	M	Maintenance Action	None	No approval required, coordinate with staff with any questions
	✓✓	Best Practice	LC	Staff evaluation and review by landmark commission, likely expedited approval
	✓	Good	LC	Staff evaluation and review by landmark commission; likely approval
	?	Case by Case Evaluation	LC	Staff evaluation and review by landmark commission, approval unknown
	X	Not Acceptable	LC	Staff evaluation and review by landmark commission, approval unlikely

### **12. Paint & Color Palette Selection**

#### **12.01 PAINT**

Paint can be an inexpensive and cost-effective way to improve the appearance of a building. Although the selection of color is a “personal” choice, certain standards have been established to guide the process of selecting appropriate exterior paint colors. This section will provide general information on such topics as historic paint colors and recommended preparation.

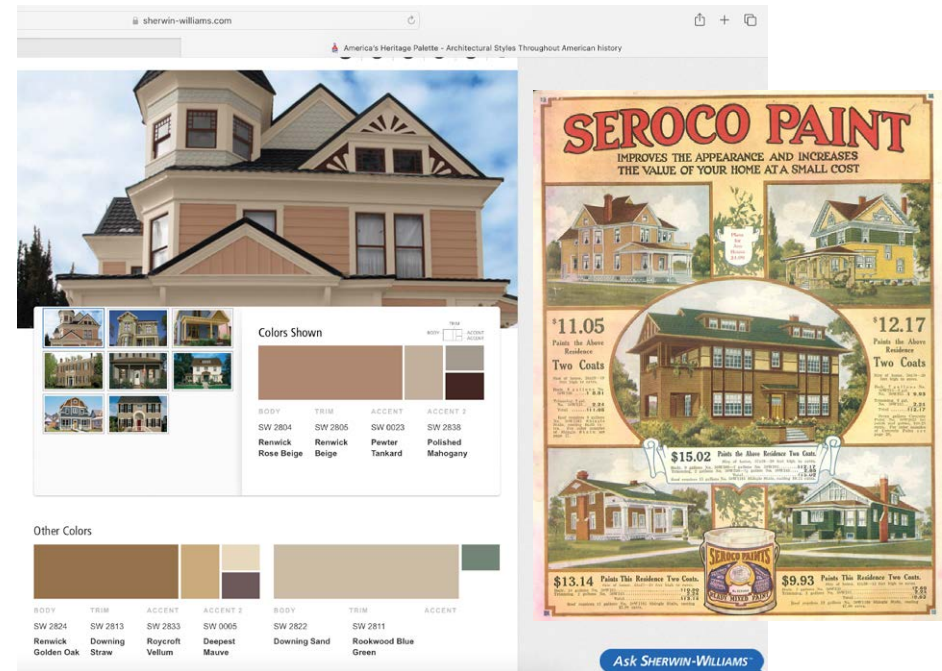
#### **12.02 PRINCIPAL COLORS**

Nineteenth century wood and masonry commercial buildings were often painted in a variety of earth-tone colors. Brick structures of this period were sometimes painted to help seal and protect the masonry surface. Wood window sashes, door panels and other architectural features were painted to contrast with the wall colors in both masonry and wood structures. Color was used to accent the building materials used and their textures, while highlighting the building’s distinctive architectural details. Many of the major paint manufacturers have developed “historic” paint color charts which can be consulted when a color program is being selected for a building. Many colors that may be appropriate are available on charts labeled “heritage colors”.



### 12.03 ACCENT COLORS

Many early twentieth century buildings were typically constructed of high-fired, decoratively-faced brick or stone which were not designed to be painted. Consequently, the application of color was limited to window frames, sashes and other wood or metal components. Black, brown, green, tan, gray and ivory were the most commonly used trim colors during this time.

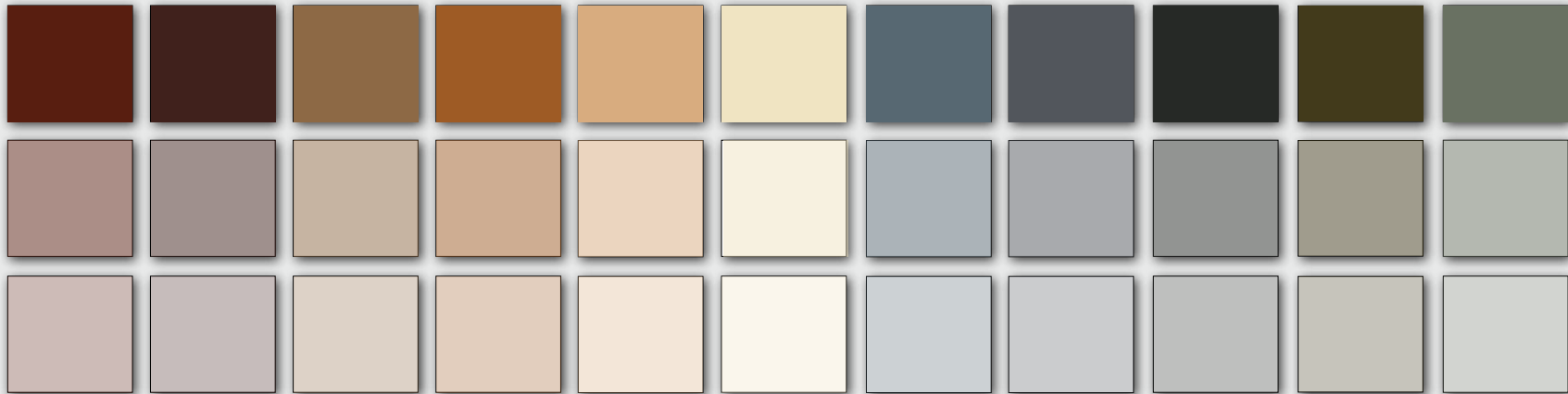


**EXAMPLE COLOR PALETTE SOURCE:  
SHERWIN WILLIAMS EXTERIOR HISTORIC COLORS**

## SECTION III: Design Guidelines

### COLORS SHOULD COME FROM HISTORIC REFERENCE OR PAINT MANUFACTURER'S HISTORIC PALETTE

THE FOLLOWING PALETTE ARE APPROVED COLORS, OTHER COLOR SELECTIONS MAY NEED LANDMARK COMMISSION APPROVAL



#### A building's color selection should be based primarily on the following points:

- The color(s) of the building's unpainted natural materials (e.g. brick, copper, stone).
- The color of the surrounding buildings should be considered so that a harmonious streetscape is created.
- Before making a paint color selection, consider the style, period and historic character of the building.
- If the goal is to return a building to its original paint colors, paint scrapings can be taken from the building and analyzed to help make that determination. Often, several layers of paint on various elements must be removed to locate the original surface color.
- Harsh or bold colors which may detract from or overpower the entire façade should not be used.
- If brick or stone buildings have been previously painted, consider repainting in colors that match the natural colors of the brick and stone, or in colors that will enhance the natural materials.
- Sources of moisture build up and penetration should be investigated and corrected before your paint project begins.
- Determine first that repainting is absolutely necessary. In some instances, cleaning the paint surfaces with a garden hose, mild detergent and a soft bristle brush is all that is necessary to make the paint look fresh.
- Spot prime bare surfaces with an appropriate primer. Caulk or fill areas that allow moisture penetration (around windows and doors, etc.).
- In general, avoid painting surfaces that have never been painted. For example, stone lintels and sills should remain unpainted.

## REPAINTING A HISTORIC COLOR PALETTE



PROPOSED TREATMENT	Item	Acceptability	Approval Process	Guideline
	Painting of building with like-for-like historically appropriate colors	M	None	12.01
	Repainting with a historic color palette	✓✓	LC	12.02, 12.03
	Repainting with a non-historic color palette	?	LC	12.02, 12.03
	Painting previously unpainted masonry or other surfaces	X	LC	Varies

KEY	M	Maintenance Action	None	No approval required, coordinate with staff with any questions
	✓✓	Best Practice	LC	Staff evaluation and review by landmark commission, likely expedited approval
	✓	Good	LC	Staff evaluation and review by landmark commission; likely approval
	?	Case by Case Evaluation	LC	Staff evaluation and review by landmark commission, approval unknown
	X	Not Acceptable	LC	Staff evaluation and review by landmark commission, approval unlikely

## **SECTION III:** Design Guidelines

### **13. Walks, Driveways, & Parking**

#### **13.01 PAVEMENT MATERIALS**

The use of high-quality paving materials such as sandstone and clay brick pavers is encouraged in the installation of walks and patios. Existing walks made of stone or clay brick should be repaired whenever possible instead of being replaced.

#### **13.02 PATIO LOCATION**

At-grade patios should be kept as far to the rear of the property as possible, and preferably not inside yards at all.

#### **13.03 SITE ACCESS**

Whenever possible, curb cuts for driveways should be avoided, and alleys should be used for access to a parking area or garage at the rear of the lot.

#### **13.04 PARKING LOTS**

Addition of surface parking lots in historic districts and neighborhoods should be avoided. Existing parking lots should be screened with plantings decorative metal fencing, or masonry walls to conceal them and lessen their visual impact.

Parking lots should be located behind existing or proposed buildings where possible. Parking lots should not be built if demolition of existing historic buildings is required.



## CONSISTENT MATERIALS



PROPOSED TREATMENT	Item	Acceptability	Approval Process	Guideline
	Proposed use of high quality pavement materials such as brick and stone	✓✓	LC	13.01
	Repair and/or replacement of high quality landscape materials	M	None	13.01
	New at-grade patio located to the rear of a property	✓✓	LC	13.02
	New at-grade patio located in the front or side of a property	?	LC	13.02
	New driveway at existing curb cut and/or located where historic driveway was located	✓	LC	13.03
	New driveway where no curb cut exists	X	LC	13.03
	New parking lot that requires demolition of an existing historic building	X	LC	13.04
	Screening of parking areas with plantings and other elements	✓	LC	13.04
	Proposed parking lot located behind existing or proposed buildings	✓✓	LC	13.04

KEY	M	Maintenance Action	None	No approval required, coordinate with staff with any questions
	✓✓	Best Practice	LC	Staff evaluation and review by landmark commission, likely expedited approval
	✓	Good	LC	Staff evaluation and review by landmark commission; likely approval
	?	Case by Case Evaluation	LC	Staff evaluation and review by landmark commission, approval unknown
	X	Not Acceptable	LC	Staff evaluation and review by landmark commission, approval unlikely

### 14. Fences, Walls, & Screening Elements

#### 14.01 EXISTING FENCES

Repair and maintain historic fencing materials, especially cast and wrought-iron fences.

#### 14.02 USE OF FENCES IN THE SITE

Keep high fencing at the rear of the property, with lower fences near the front of the lot. Avoid obscuring views of the building; consider holding the fence back somewhat from the street or sidewalk, and providing a small planting strip to soften the visual impact of the fence. A maximum fence height of three to four feet along the street is most appropriate; rear yard fences should be a maximum of six feet high.

#### 14.03 TRANSPARENT FENCES

Fencing surrounding outdoor dining areas, on sidewalks, alleyways, and private property that is viewable from the right-of-way, shall be colored black and made of steel, iron, or commercial or industrial grade aluminum. They shall be sturdy and stable and comply with applicable building and fire codes. The fence shall be at least 50% open to allow visibility to and from the street and they shall not create visual or physical obstacles or hazards to adjacent buildings

or pedestrian travel. Outdoor dining areas shall not exceed 60% of the sidewalk width and at least 60 inches of unobstructed corridor space must be maintained for sidewalk pedestrian traffic. The height of the fence shall be at least 36 inches and not exceed 42 inches and the bottom edge of the fence shall be a maximum 6 inches above the sidewalk surface.

#### 14.04 PRIVACY & SCREEN FENCES

Try to solve privacy and security needs with traditional wood or metal materials, as well as through landscaping. Avoid masonry walls.

In fence construction, use traditional forms: picket fences are appropriate, as are plain board fences (vertical boards nailed side by side on parallel stringers, or horizontal boards stacked vertically on parallel stringers). For side yards, traditional loop-top wire fencing is both available and appropriate, as is simple iron fencing in historic designs.

Wood fences should be painted or stained with an opaque stain compatible with the house's colors and should not be left to weather.

Outside areas used for the storage of equipment and materials, dumpsters, other trash receptacles, and utility boxes/HVAC units should be screened from street view using appropriate fencing, walls, and/or evergreen landscaping materials.

#### 14.05 INAPPROPRIATE FENCES

Avoid inappropriate fence designs such as chain link, barbed-wire, stockade, shadow board, basket weave, and other contemporary designs.

#### INSTALLATION AND DESIGN KEYS

- 1 Always place the front side of the fence toward the street; the structural posts and stringers should be on the inside of the fence.
- 2 Never use electric fences, barbed wire or razor ribbon fencing.

PROPOSED TREATMENT	Item	Acceptability	Approval Process	Guideline
	Repair of existing historic fence with like-for-like materials	M	None	14.01
	Use of low, transparent fence in front of site	✓	LC	14.02, 14.03
	Use of high, opaque fence in front of site	X	LC	14.02, 14.03
	Use of high, opaque fence in rear of site	✓	LC	14.02, 14.03
	Use of high, opaque fence to screen HVAC equipment, dumpsters, transformers, etc.	✓	LC	14.04
	Use of screen fencing in combination with landscaping and other design elements	✓✓	LC	14.04, 14.05
	Use of chain link or barbed-wire fence	X	LC	14.05

KEY	M	Maintenance Action	None	No approval required, coordinate with staff with any questions
	✓✓	Best Practice	LC	Staff evaluation and review by landmark commission, likely expedited approval
	✓	Good	LC	Staff evaluation and review by landmark commission; likely approval
	?	Case by Case Evaluation	LC	Staff evaluation and review by landmark commission, approval unknown
	X	Not Acceptable	LC	Staff evaluation and review by landmark commission, approval unlikely

### 15. Lighting

#### 15.01 FIXTURE SIZE

Fixture heads should be twelve inches high at most, and mounted about six to seven feet high. Avoid large, ornate light fixtures with large amounts of applied detail.

#### 15.02 LIGHT LEVELS

Avoid excessively bright lights; use ordinary household bulbs. Mounting on posts or on buildings is appropriate; do not damage masonry walls when mounting on buildings.

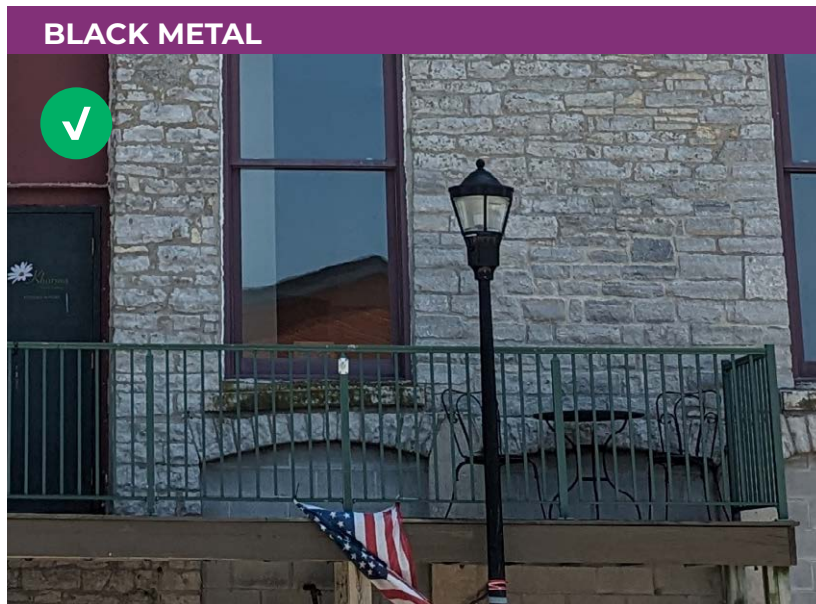
#### 15.03 AREA LIGHTING IN EAVES AND GABLES

For area lighting, consider small, contemporary flood or spotlights mounted near the eaves or in a gable of the house. Mount these lights so they are not excessively bright and do not disturb any neighbors; they can be an effective alternative to pole-mounted lights.

#### 15.04 LIGHT DISTRIBUTION

Any uplighting should point toward the building and not the sky and should be shielded to prevent light cast toward the sky. All other fixtures should have tops and overhang on sides so light is cast down and directly not up or sideways.





PROPOSED TREATMENT	Item	Acceptability	Approval Process	Guideline
	Large and ornate light fixtures on buildings or private property	X	LC	15.01
	Small and/or contemporary light fixtures	✓	LC	15.01
	Use of fixtures with appropriate light levels	✓✓	LC	15.02
	Use of fixtures with excessively high light levels or lights directed at public space	X	LC	15.02
	Small area lights located in eaves or in a gable of a house/building	✓	LC	15.03
PROPOSED TREATMENT	Replacing an existing light fixture or light bulb with like-for-like materials	M	None	15.01

KEY	M	Maintenance Action	None	No approval required, coordinate with staff with any questions
	✓✓	Best Practice	LC	Staff evaluation and review by landmark commission, likely expedited approval
	✓	Good	LC	Staff evaluation and review by landmark commission; likely approval
	?	Case by Case Evaluation	LC	Staff evaluation and review by landmark commission, approval unknown
	X	Not Acceptable	LC	Staff evaluation and review by landmark commission, approval unlikely

### 16. Water Features & Residential Site Amenities

#### 16.01 POOLS AND FOUNTAINS

Pools and fountains were not common historically and are discouraged if visible from the right-of-way facing the principal facade. If such features are installed, they should be kept to the rear of the lot and made as invisible as possible from the street. Consider using landscaping to screen these features rather than walls and fences.

By code, site elements such as swimming pools may require fences or enclosures to limit access. These elements should meet applicable design guidelines as well. In some cases these elements may be screened with appropriate landscaping or other site features.

#### 16.02 EXISTING SITE FURNISHINGS

Preserve and repair any surviving original street furniture such as mounting blocks and hitching posts.

Exercise care in adding accessories. Historically, not every house had a pole lamp, hitching post, bench, and planter. Observe what is already in place on the street and try to provide a similar complement of accessories.

### 16.03 APPROPRIATE NEW SITE FURNISHINGS

Keep site furnishings simple in design and modest in size. Designs should be simple without excessive decoration; avoid items with theme decorations, such as eagles, and Bavarian or Swiss Chalet designs unless photographic evidence. Restorations of historic site furnishings is encouraged.

PROPOSED TREATMENT	Item	Acceptability	Approval Process	Guideline
	New pool or fountain		LC	16.01
	Preservation or repair of existing site furnishings		None	16.02
	New site furnishings that are simple and/or modest in appearance		LC	16.03
	New site furnishings that are themed or replicate false-historical elements		LC	16.03
	heavy, bulky porch furniture that obscures historic facade		LC	16.04
	Simple, modest porch furniture		LC	16.05

KEY		Maintenance Action	None	No approval required, coordinate with staff with any questions
		Best Practice	LC	Staff evaluation and review by landmark commission, likely expedited approval
		Good	LC	Staff evaluation and review by landmark commission; likely approval
		Case by Case Evaluation	LC	Staff evaluation and review by landmark commission, approval unknown
		Not Acceptable	LC	Staff evaluation and review by landmark commission, approval unlikely

### 17. Storefronts & Commercial Site Amenities

#### 17.01 HISTORIC STOREFRONT MODIFICATION

Avoid removal of historic storefront materials (wooden bulkhead panels, original plate glass, bronze panels and trim, stone columns and piers, transom glass, original doors, and trim). Make every effort to preserve such elements, even if they are not complete storefronts.

If historic wood elements such as kickplates and bulkheads, substitute materials may be considered.

#### 17.02 HISTORIC STOREFRONT RESTORATION

Avoid wood-shingled mansards, permanent aluminum canopies, diagonal wood siding, brick storefronts, and board-and-batten surfaces. These would not have been used historically.

Avoid “theme” designs (Victorian, Tiffany, Colonial, Mediterranean, Bavarian, Wild West) or any attempt to create a false history for a building. The use of ornate doorways, varnished storefronts, stained glass, and other similar features to make a storefront look older than it was originally or more decorative should be avoided. Any reconstruction of a storefront should be based on physical evidence or historic photographs of the building.

#### 17.03 MODERN STOREFRONTS

If all historic storefront materials have been removed and a modern storefront has been installed, it is sometimes best to leave the modern front rather than attempt a restoration. Stark, plain, or unattractive modern storefronts can be softened by simple, inexpensive efforts such as painting, new signage, or installation of canvas awnings.

New designs should respect design elements typical of original storefronts in the area such as a high percentage of glass, strong bulkheads, heavy framing, and other elements. Adding new openings on a principal or major elevation of the building should be avoided.

If modern elements are desired, such as garage doors, new entry openings, or other storefront features, appropriate materials, colors must be used. Size and location of openings should match rhythm and proportion of historic facade and neighboring storefronts. Historic structures of the facade, such as columns, trim, etc. should not be removed to enable storefront renovation.



#### **17.04 OUTDOOR DINING SPACES AND SEATING AREAS**

Outdoor dining space and seating areas are encouraged in the downtown historic and design review districts. These areas should be designed to encourage visitation and comfortable use by restaurant patrons, visitors, and residents. They should include elements such as planters, tables, chairs, benches, umbrellas, soft lighting, fences/railings, and public art.

Outdoor seating areas on public property or in public rights-of-way are encouraged, but must be coordinated with City staff for required permitting.

Where alcohol is served in a public right-of-way, the design of the seating area must comply with any state regulations.

#### **17.05 INAPPROPRIATE SITE FURNISHINGS**

Avoid benches, planters, and other items that are too large for the space and create obstructions to pedestrian traffic or flow.

#### **17.06 COMMERCIAL AWNINGS**

Commercial awnings are permitted but should be located below the frieze/sign band. Signs are permitted to be located on awnings, see section 18.

#### **MAINTENANCE KEYS**

- 1** Often the problem with a storefront is that it is dirty, paint-encrusted, and deteriorated. Sometimes a regular program of cleaning and maintenance is all that is needed, rather than complete replacement or “dressing up” to enhance the storefront’s appearance. Always start by trying to change as little as possible.

STOREFRONT AND BUILDING FACADE COMPONENTS



## HISTORIC STOREFRONTS WITH TRANSOM



## NEW STOREFRONT



PROPOSED TREATMENT	Item	Acceptability	Approval Process	Guideline
	Major modification of historic storefronts	?	LC	17.01
	Creating themed, falsely historic, or highly ornamental storefronts	X	LC	17.02
	Minor modification of storefronts	✓	LC	17.03
	Removal of modern storefront to restore historic storefront	?	LC	17.03
	A new design that reflects elements typical of the original storefronts in the area	✓	LC	17.03

KEY	M	Maintenance Action	None	No approval required, coordinate with staff with any questions
	✓✓	Best Practice	LC	Staff evaluation and review by landmark commission, likely expedited approval
	✓	Good	LC	Staff evaluation and review by landmark commission; likely approval
	?	Case by Case Evaluation	LC	Staff evaluation and review by landmark commission, approval unknown
	X	Not Acceptable	LC	Staff evaluation and review by landmark commission, approval unlikely

### 18. Graphics & Signs

#### 18.01 'GHOST' SIGNS

Where possible, maintain historic signage that has been painted on building walls. These signs are part of the history and character of the commercial district.

#### 18.02 NEW SIGN TYPES

In choosing a sign, take into consideration how the sign will appear in relation to the entire facade of your building. The sign should not dominate the facade. Its shape and size should fit your building just as a window or door fits. Be careful that signs do not interfere with or conceal architectural features of the storefront or upper facade.

Flush-mounted wall signs, window signs and awning signs are most appropriate for commercial buildings. Ground signs should be limited to buildings which are set back at least 25 feet from the public right-of-way. New signage should always be pedestrian in scale. This means that the signage relates more to the sidewalk than it does to the street.

Projecting (blade) signs may also be appropriate for storefronts. Signs shall not project more than 4' from the existing building facade. The bottom of the sign should be a minimum of 10' above the existing sidewalk elevation. Projection signs should include unique design that includes raised lettering, 3-dimensional features, and other elements.

Take cues from the building in choosing a location for a sign. Many buildings have a flat area above the storefront which provides an ideal location for signage that is mounted flush on the façade. Historic photographs can often show you how signage was used on the building in the past.



### **18.03 AWNING AND CANOPY SIGNS**

Consider using an awning or an existing canopy for signage. Tasteful signs can be painted or silk- screened onto the valance or face of the awning. A canopy edge could be used for raised letters or a signboard. Always scale the sign proportionally with the fabric or canopy area.

### **18.04 PERMANENT WINDOW & DOOR GRAPHICS**

Permanent window & door graphics are appropriate for downtown buildings, including both storefront display and upper floor windows. Lettering can be painted, gold-leafed or etched.

Graphics should not cover more than 25% of window area for the building.

### **18.05 DESIGN FEATURES**

Signs and graphic colors should take cues from the building and its trim. Bright, primary colors are best used as accents, while more subdued colors should dominate. “Fluorescent” colors are among those which should not be used at all as they are not compatible with the more traditional colors that exist on downtown buildings. The use of white backgrounds in signs is strongly discouraged.

Signage color schemes should be simple. If more than one sign is used in the business, their colors should be compatible, if not the same.

SECTION III: Design Guidelines



### **18.06 SIGN MATERIALS**

Choose sign materials that complement the architectural character of the district. A variety exists: wood can be painted or carved; metal can be shaped, painted or polished; and canvas can be used for awnings. Wood signs should be painted as the use of natural wood in signage downtown should be avoided as it is not appropriate to the area's architectural character. Plastic is also discouraged as a downtown signage material as it can be incompatible with the historic materials on the building.

### **18.07 SIGN DESIGN**

Good quality designs with simple graphics and simple messages are encouraged. Although common geometric forms, such as a rectangle, square, circle or oval are encouraged, other signage shapes may also be appropriate. Letter sizes and styles should be easily readable. Use of one letter size and one type style is best for downtown buildings. Symbols are especially appropriate for hanging/projecting signs in downtown.

### **18.08 ILLUMINATION**

If signs are to be illuminated, lighting should be provided externally or halo lit. Internally lit wall signs are not appropriate for the downtown district. Internally lit projection signs may be appropriate, on a case by case basis, and if illumination is limited to letters routed out of the face of a non-glossy opaque sign.

Light fixtures for signs should be simple in design and placed in a location which does not obscure other features of the storefront.

If illumination is used, light sources should use a warm white color temperature that does not exceed 3,000k.

## SECTION III: Design Guidelines

### 18.09 SIGN BRACKETS AND FASTENERS

Supports for projecting signs or ground signs should be considered part of the overall sign design. A simple metal bracket would be most appropriate for projecting signs. Ground signs may have poles or other bases made of brick, wood, stone or metal.

Signage hardware should be anchored in mortar joints as much as possible to minimize damage to historic materials and features of the building.

### 18.10 USE OF SIGNS

Encourage businesses to be efficient in their use of signage. A building which occupies several lots but is used for a single business should be encouraged to use fewer signs than may be allowed by the Zoning Code.

### 18.11 TEMPORARY SIGNS

Temporary signage is sometimes necessary to announce sales or special events. Their size should be kept small and time on display should be limited.

### 18.12 SIGN REMOVAL

If a sign is removed, any hardware and other materials should be removed as well. The holes should be filled and discoloration remedied.

#### MAINTENANCE KEYS

- 1 Maintain the appearance and structural integrity of your sign. Clean or repaint signs and their supporting structures, and make other repairs as needed to prevent deterioration.
- 2 When a sign is removed, any mounting or electrical holes that will not be reused should be filled or concealed. Discolorations that exist on the façade from previous signage should be removed.



## WINDOW GRAPHICS & PROJECTING SIGNS



## INTERNALLY ILLUMINATED PROJECTING SIGN



## LARGE INTERNALLY ILLUMINATED PROJECTING SIGN



PROPOSED TREATMENT	Item	Acceptability	Approval Process	Guideline
	Removal or painting over existing 'Ghost Sign'	X	LC	18.01
	New sign that is in proportion and scale to the historic building	✓✓	LC	18.02
	New flush-mounted wall sign, window sign, window graphics, and/or awning sign	✓✓	LC	18.02
	New sign that reflects the design of a sign that was historically located on the building	✓	LC	18.02
	New sign that has a subdued principal colors with bright accent colors	✓	LC	18.05
	Externally Illuminated signs	✓✓	LC	18.08
	Internally illuminated signs with high quality or unique design	?	LC	18.08
	Temporary signs	✓	LC	18.11
	Maintenance and/or repair of existing signs with no change in features or message	M	None	N/A

KEY	M	Maintenance Action	None	No approval required, coordinate with staff with any questions
	✓✓	Best Practice	LC	Staff evaluation and review by landmark commission, likely expedited approval
	✓	Good	LC	Staff evaluation and review by landmark commission; likely approval
	?	Case by Case Evaluation	LC	Staff evaluation and review by landmark commission, approval unknown
	X	Not Acceptable	LC	Staff evaluation and review by landmark commission, approval unlikely

## SECTION III: Design Guidelines

### 19. Public Art

#### 19.01 CREATION OF PUBLIC ART

A mural, sculpture, or other public art element is a creative expression that should be oriented for public to enjoy and experience.

Public art elements should not contain words, graphics, logos, and other elements related to commercial businesses. Inclusion of these elements would be considered a sign and not public art.

#### 19.02 PERMANENT MURALS

Permanent and temporary murals are not appropriate on principal facades of historic buildings. Permanent murals on secondary facades of new buildings or additions may be appropriate if the mural is a featured component of the architectural design.

Murals are encouraged within historic districts on secondary facades of historic and non-historic buildings that have minimal architectural detailing.

Painting an existing exposed masonry facade for installation of a mural is discouraged. If approved, only masonry to be covered by the mural should be painted. Installing a mural on a previously painted masonry is acceptable.

Prior to installation of mural the facade of the building should be cleaned and repaired. This includes re-pointing of masonry, removal of debris and vegetation, and cleaning of any growth.

#### 19.03 TEMPORARY MURALS








Temporary murals are designed to be removable and are typically created using an adhesive vinyl material. These murals are appropriate on secondary facades. These may also be appropriate on primary facades if they are placed and designed to be compatible with the architectural features of the building.






#### 19.04 SCULPTURES

Sculpture installations in view of the public right of way are encouraged. The design, scale, and subject matter of sculptures and other public art elements are subject to the review of both the Landmark Commission and Public Arts & Culture Commission. Sculptures proposed within the public right of way are subject to further review.

#### 19.05 OTHER ELEMENTS

The creation of public art and other creative elements are encouraged in the historic district. These should be reviewed with staff and the appropriate commissions for guidance and approval.

PROPOSED TREATMENT	Item	Acceptability	Approval Process	Guideline
	New mural painted on principal facade of historic building facing public street		LC*	19.02
	New mural painted on secondary facade but is visible from public space		LC*	19.02
	New mural painted on facade with high quality historic materials or details		LC*	19.02
	New temporary mural with removable materials		LC*	19.03
	New sculpture element on private property that is visible from the street		LC*	19.04
	New sculpture element on private property that is not visible from the street		LC	19.04
	Like for like repair or repainting of existing mural or public art element		None	N/A
Note: New public art elements may be subject to review by the Public Arts & Culture Commission				

KEY		Maintenance Action	None	No approval required, coordinate with staff with any questions
		Best Practice	LC	Staff evaluation and review by landmark commission, likely expedited approval
		Good	LC	Staff evaluation and review by landmark commission; likely approval
		Case by Case Evaluation	LC	Staff evaluation and review by landmark commission, approval unknown
		Not Acceptable	LC	Staff evaluation and review by landmark commission, approval unlikely

### 20. Building Additions

#### 20.01 MASSING

It should be clear that additions are later features and not part of the original structure. There should be no confusion as to what was original and what was added later, and additions should be clearly subsidiary to the original building. This can be accomplished by providing a clear visual break between the original building and the addition, by setting the facade of the addition back from that of the original, or by constructing a recessed area at the point the addition and the original building join together. Additions should be placed to the rear of a building wherever possible.

#### 20.02 MATERIALS

Change of materials is another way visually to distinguish an addition. On a brick building, for example, a frame addition is a very appropriate way to accomplish this differentiation. Matching materials that meet other criteria can also meet the guidelines. See the Siding and Masonry sections for guidance on selection of treatments.

#### 20.03 DETAILING

Another approach to make an addition “read” separately is to use different detailing. Simplified cornice details, or window and door trim of a slightly different dimension from that on the original building, for example, can provide subtle visual clues as to where the addition begins.





## 20.04 DORMERS

Dormer design should be kept in scale with the original building and should not be overwhelming in size. Maximum dormer length should never be more than one-half the roof's length. New dormers should be roof dormers, not wall dormers. Their walls should be held back from the roof eave at least one foot. Dormer roofs should join main house roofs below the ridge. New dormers should be placed to the rear of the house as much as possible, to minimize their visibility from the street. Dormers should be used for their original purpose, instead of as a means to add an extra floor to a building. Extremely large dormers should not be installed; a ground-level addition should be considered if more floor space is desired. Dormer windows should be traditional windows; avoid full-height windows, all-glass walls, or windows out of proportion to the dormer. Use horizontal wood siding or roofing material on dormer sides.

PROPOSED TREATMENT	Item	Acceptability	Approval Process	Guideline
	New building additions that make a clear visual break from the original structure	✓	LC	20.01
	New building additions that are to the rear of existing historic structure	✓✓	LC	20.01
	New building additions that match the historical style of the original building	✗	LC	20.02, 20.03
	Change of materials on building addition	✓	LC	20.02
	Matching materials on building addition	?	LC	20.02
	Change of detailing on building addition	✓	LC	20.03
	Matching existing historic details on building addition	✗	LC	20.03
	New roof dormer(s) on street facing elevation	✗	LC	20.04
	New roof dormer(s) on rear elevation	✓✓	LC	20.04

KEY	M	Maintenance Action	None	No approval required, coordinate with staff with any questions
	✓✓	Best Practice	LC	Staff evaluation and review by landmark commission, likely expedited approval
	✓	Good	LC	Staff evaluation and review by landmark commission; likely approval
	?	Case by Case Evaluation	LC	Staff evaluation and review by landmark commission, approval unknown
	✗	Not Acceptable	LC	Staff evaluation and review by landmark commission, approval unlikely

## SECTION III: Design Guidelines

### 21. Historic Garages & Outbuildings

#### 21.01 PRESERVATION







Try to preserve and reuse existing historic garages and outbuildings instead of demolishing them and building new. Although deteriorated, they may still be sound enough to rehabilitate economically.






#### 21.02 EXISTING BUILDING MATERIALS

Make every effort to preserve original doors, windows, siding, and roofing materials on historic garages and outbuildings.

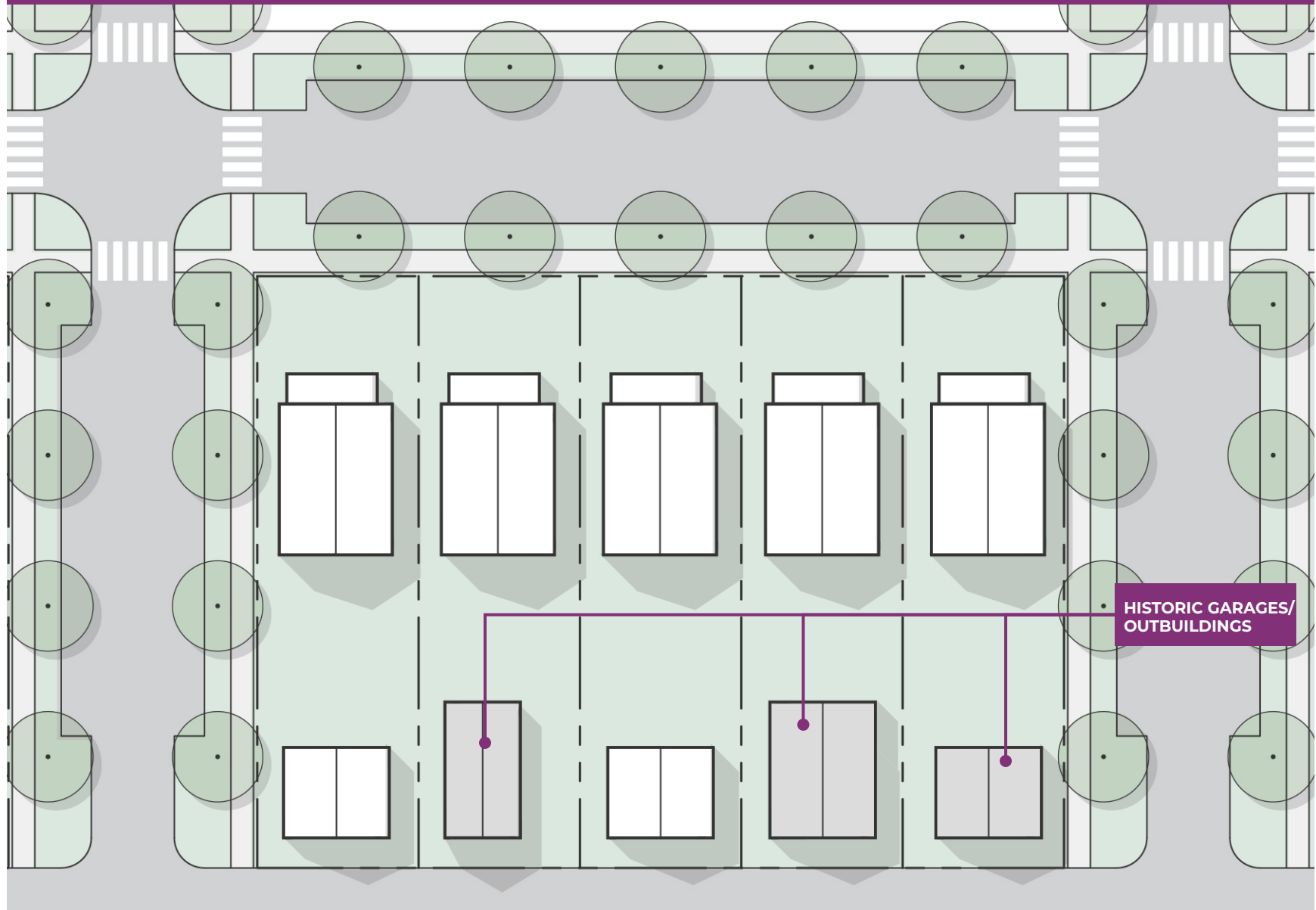
#### 21.03 REPLACEMENT MATERIALS

Use matching materials (siding, cornerboards, and window trim) when replacement of deteriorated materials is necessary.

PROPOSED TREATMENT	Item	Acceptability	Approval Process	Guideline
	Maintenance of existing historic garage and/or outbuilding		None	21.01
	Appropriate preservation of existing doors, windows, siding and roofing materials		LC	21.02
	Replacement of existing siding and trim		LC	21.03
	Replacement of existing garage door(s)		LC	21.03
	Repair of existing garage door(s)		None	21.02
	Replacement of existing historic window(s)		LC	21.03

KEY		Maintenance Action	None	No approval required, coordinate with staff with any questions
		Best Practice	LC	Staff evaluation and review by landmark commission, likely expedited approval
		Good	LC	Staff evaluation and review by landmark commission; likely approval
		Case by Case Evaluation	LC	Staff evaluation and review by landmark commission, approval unknown
		Not Acceptable	LC	Staff evaluation and review by landmark commission, approval unlikely

## OUTBUILDING PLAN



### 22. New Buildings & Garages

#### 22.01 BUILDING PLAN

The building plan is related to the concept of massing the boxlike forms that are fitted together to create the overall shape and “footprint” of a building. Simple rectangular cottages without additions, porches, or dormers are very simple in plan and massing. Other buildings may be more complex, such as L-shaped Italianate houses; some of the later Queen Anne structures feature many intersecting masses as well as porches, balconies, and bay windows.

Although your new building should have similar complexity in plan and massing, it need not duplicate designs found in adjacent and nearby buildings.

#### 22.02 HEIGHT

Even though building heights vary considerably along some streets, most builders in the past put up structures similar in height to adjacent and nearby houses. Your new building should be shorter than the tallest building in the area, and higher than the shortest. In other words, it should be the average height of nearby buildings.

#### 22.03 MATERIALS

In planning your new construction, also consider the variety of materials in your neighborhood. For example, if adjacent and nearby buildings have high foundations of light-colored stone, your new building design should not have an all-brick facade down to ground level. To re-create the variety of materials typical of the area, you could use rough-faced concrete block or a rock veneer.

#### PLANNING KEY

- 1 Begin planning your new building by taking a good long look at adjacent buildings and those in your neighborhood. Take your time; combining new materials and building techniques with the architecture of another age takes careful thought.



**COMMERCIAL NEW BUILDINGS EXAMPLE PLAN**

The diagram illustrates a commercial building layout within a city block. The central feature is an **INFILL BUILDING**, shown as a large blue rectangle. Behind this building is a **PARKING BEHIND BUILDING** area, depicted with grey parking stalls and a green landscaped area at the bottom. The building is set back from the right-of-way (R.O.W.) by a dashed line, labeled **BUILDING SETBACK @ R.O.W.** on both the right and bottom edges. The surrounding area includes other buildings (white rectangles), trees (green circles), and a street with crosswalks (white lines) at the top and bottom. The entire plan is titled **COMMERCIAL NEW BUILDINGS EXAMPLE PLAN** at the top.

## SECTION III: Design Guidelines

### 22.04 SCALE AND PROPORTION

Scale refers to the size of a building in relation to adjacent and nearby structures. Proportion is the relationship between a facade's height and width. Proportion affects scale. For example, if a new building were taller than those nearby and had a long facade out of proportion to its height, it would be quite out of scale because it would be too large or monumental for its location. Similarly, a building lower than nearby structures, and with a fairly narrow facade in relation to that height might also be out of scale because it is too small or modest. Your new building should maintain the proportions and overall scale of adjacent and nearby buildings.

### 22.05 NEW BUILDINGS FRONT SETBACK

The front setback is the distance between a building's facade and the front property line. Setbacks are controlled by the Zoning Code, which allows some flexibility through variances.

On a typical street, most of the buildings observe the same shallow or nonexistent front setback, thus creating Sandusky's dense, intimate character. Generally, setbacks are close to the sidewalks and very

often flush with them. Occasionally there are streets where setbacks vary.

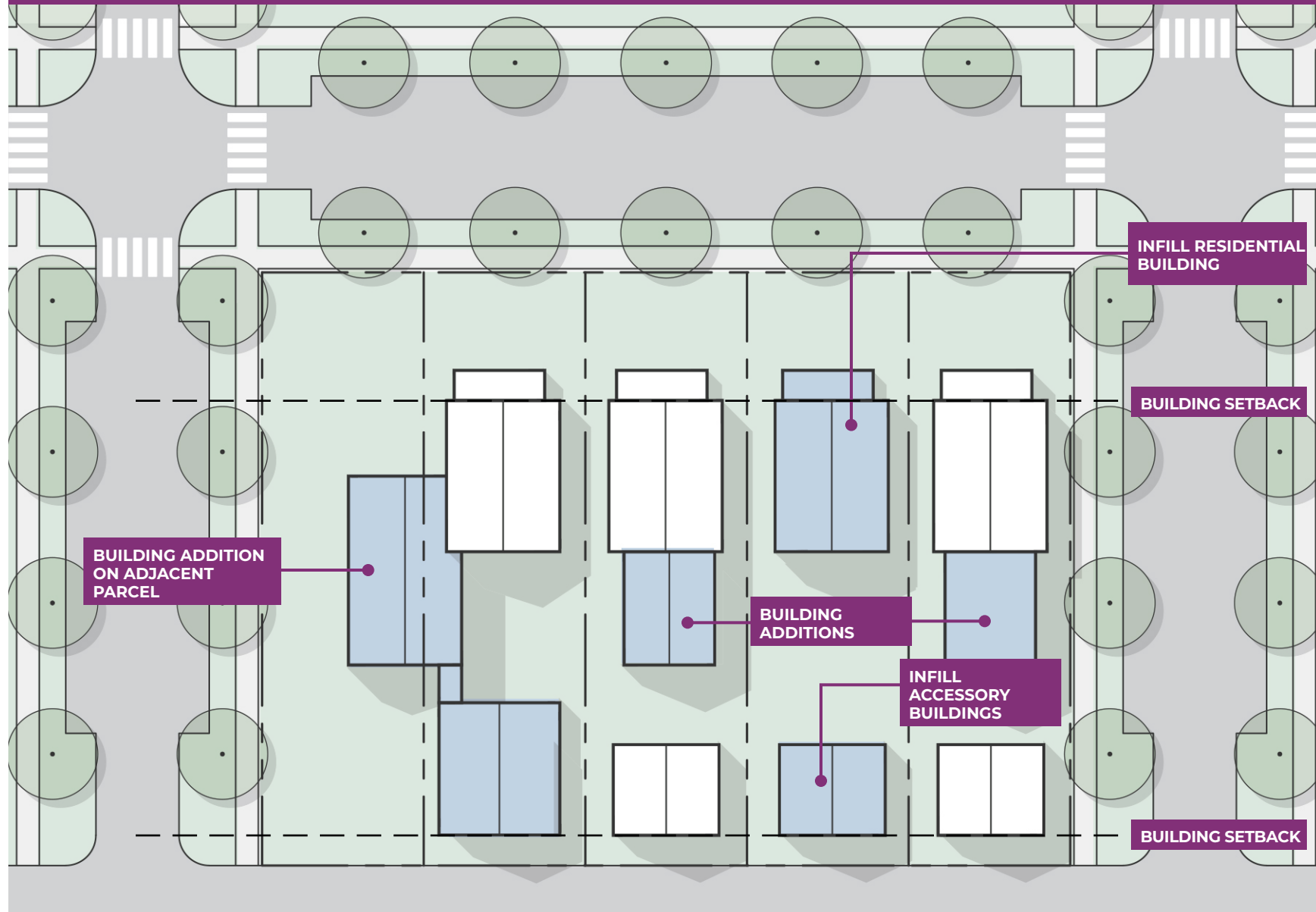
Your new building should follow the historic setback patterns in the area, even if a zoning variance is necessary to achieve this. If you cannot follow the historic setback, place your structure behind rather than in front of the area's general setback.

Although facades are generally parallel to the line of setback, check the angling of nearby facades in relation to the setback line. Your building should follow this design element in addition to the actual setback distance.

### 22.06 BUILDING SPACING

The close spacing between buildings is an important element of the street character. Typically, side yards are very narrow. Zoning laws stipulate the side yard setback; they regulate how close your building can be to your side property lines, and thus, the size of your side yard. Designs for new construction should observe the overall rhythm of building spacing along the street.

## RESIDENTIAL NEW BUILDINGS & GARAGES EXAMPLE PLAN



## SECTION III: Design Guidelines

### 22.07 RHYTHM OF BUILDING OPENINGS

Rhythm is determined by architectural style as well as by practical considerations. It refers not only to the pattern of window and door openings in a building but also to the areas of wall surface between openings.

Other rhythms you should watch for include the symmetrical placement of windows and doors; the off-set entrances and large living room windows found in many Queen Anne structures; and the repeated patterns of display windows and doors in some commercial buildings.

Your new construction design should contribute to the predominant rhythms in adjacent and nearby buildings, without duplicating them.

### 22.08 ROOF SHAPES

An important component of Sandusky's visual appeal is its eclectic mix of historic roof shapes. Many commercial buildings have nearly invisible, almost flat roofs. Two uncommon roof shapes are gambrel roofs, which have barnlike double-pitch gables, and mansard roofs that are sometimes found on porches.

Often basic roof shapes are made more complex by original or added dormers, intersecting roofs on ell and additions, and porch roofs. The Queen Anne architectural style combines different roof shapes. Your construction design should reflect the predominant patterns of roof shapes in the area. A flat or mansard-roofed house, for example, would be inappropriate on a street of houses with their gable ends facing the street.

### 22.09 RELATIONSHIP OF MATERIALS, TEXTURES, AND COLORS

Just as street patterns, lot sizes, building styles, and setbacks affect appearance and visual quality, so do the materials, textures, and colors that make up architecture-both old and new.

Varied materials include stone foundations; brick walls, walks, driveways, and streets; wood doors, window frames, siding, and trim; slate roofs; concrete walks and patios; and metal cornices, gutters, downspouts, and roofing.



Each of these materials has its own texture: stone foundations can be smooth-cut or rough-faced; brick walls can be smooth 19th-century brick or rough-surfaced wire-cut brick from the 20th-century; wood siding might be flush siding or overlapped beveled siding, or one of the turn-of-the-century sidings.

Whether a hue is natural to a particular material or applied through painting or finishing, color is another important element. Painted window frames, doors, walls, and trim employ a variety of colors that can be changed fairly easily.

Observe the relationship of materials, textures, and colors in your block. On one hand, if buildings in your area were built with only one or two principal materials, then your design should stay within that limitation. On the other hand, if your block has a variety of materials and textures, your design should be of similar complexity. Choose colors for compatibility with existing colors. Your new structure should reflect the relationship between materials, texture, and color already established in the area.

PROPOSED TREATMENT	Item	Acceptability	Approval Process	Guideline
	New building/garage located to the rear of adjacent historic buildings	✓✓	LC	22.01
	New building/garage located on the front or side of adjacent historic building	?	LC	22.01
	New building/garage that mimics the style of adjacent historic buildings	✗	LC	22.01
	New building/garage that is subordinate in design to adjacent historic buildings	✓	LC	22.02, 22.04
	New building/garage that reflects the materials of adjacent historic buildings	✓	LC	22.02, 22.04
	New building/garage that has deeper setback than adjacent historic buildings	✗	LC	22.05
	New building/garage that reflects the spacing and rhythm of adjacent buildings	✓	LC	22.06, 22.07
	New building/garage that has roof shape that reflects adjacent historic buildings	✓	LC	22.08
	New building/garage that has harmonious materials to adjacent historic buildings	✓	LC	22.09

KEY	M	Maintenance Action	None	No approval required, coordinate with staff with any questions
	✓✓	Best Practice	LC	Staff evaluation and review by landmark commission, likely expedited approval
	✓	Good	LC	Staff evaluation and review by landmark commission; likely approval
	?	Case by Case Evaluation	LC	Staff evaluation and review by landmark commission, approval unknown
	✗	Not Acceptable	LC	Staff evaluation and review by landmark commission, approval unlikely

SECTION IV

# APPENDICES









### Common Architectural Styles in Sandusky

#### **NEOCLASSICAL / NEOGEORGIAN**

Elements include balanced proportions, a low-pitched roof, a centrally located door with semi-elliptical or fanlight door transom and often classically detailed pediment and columns.

#### **GREEK REVIVAL**

Elements include an emphasis on straight lines and symmetry; 1 1/2 or 2 1/2 stories in height; medium or steeply pitched gable roof or hip roof; central pedimented porches; center doors accented by rectangular transom and sidelights; temple-fronts; front gables; and decorative classical features including dentils, return eaves, pilasters, and flat or pedimented hoods over windows.

#### **ITALIANATE**

Elements include a blocky and square appearance; two stories in height; a square tower or projecting central section; low pitched hip roofs; wide eaves with prominent decorative brackets; round-headed window and door openings as decorative accents; and verandas and cupolas crowning main structures. Details of this style were used in both rural and urban houses and commercial buildings well into the 20th century.

#### **FEDERAL**

Elements include square shapes; scale of details such as moldings, columns, windows, etc. are enlarged; cornices could be unadorned or very fancy with dentils, swags, or medallions; pilasters, keystone lintels, Palladian windows above the entry with sidelights and fanlights; interiors have decorative ornaments either carved in wood or cast in plaster applied to mantels, walls, ceilings, etc.; typical decorative motifs include swags, garlands, urns, and classic geometric patterns formed by fluted radiating lines.

#### **GOTHIC REVIVAL**

Elements include an emphasis on vertical lines; its main architectural objective is visual effect rather than balance and symmetry; usually 1 1/2 stories in height; pointed arched windows and door openings are dominating features; sharply pitched roofs with numerous gables; and use of decorative “gingerbread” wood trim on verandas or along eaves.

### **QUEEN ANNE**

Elements include eclectic and asymmetrical in outline; steep roofs and tall chimneys; usually two or more stories in height; circular towers usually offset with “candle-snuffer” peaked roof; prominent projecting or eyebrow dormers; shaped verandas; and facades, especially front gables, are covered in a variety of contrasting decorative shingle patterns.

### **SECOND EMPIRE**

Elements include mansard roofs which permit full use of top floor space and eliminate sloping ceilings of gable roofs; irregular building outlines; possible decorative iron cresting on roof tops; and possible projecting center towers and one or two story bay windows.

### **BEAUX ARTS**

Elements include stylized classical proportions and details and design which is theatrical and monumental in nature

### **ROMANESQUE REVIVAL**

A style of building in the late 19th century (roughly 1840-1900) inspired by the 11th and 12th century Romanesque style of architecture. Popular features of these revival buildings are round arches, semi-circular arches on windows, and belt courses. Unlike the classical Romanesque style, however, Romanesque Revival buildings tended to feature more simplified arches and windows than their historic counterparts.

### **EASTLAKE**

A 19th century household design reform movement started by architect and writer Charles Eastlake (1836–1906). His book *Hints on Household Taste in Furniture, Upholstery, and Other Details* posited that furniture and decor in people’s homes should be made by hand or machine workers who took personal pride in their work. Manufacturers in the U.S. used the drawings and ideas in the book to create mass-produced Eastlake Style or Cottage furniture. The geometric ornaments, spindles, low relief carvings and incised lines were designed to be affordable and easy to clean.



## ADDITIONAL RESOURCES

### **OHIO HISTORIC PRESERVATION OFFICE**

State Historic Preservation Office  
Ohio History Connection  
800 E. 17th Ave.  
Columbus, OH 43211  
614.298.2000  
[ohiohistory.org/shpo](http://ohiohistory.org/shpo)

### **NATIONAL PARK SERVICE, U.S. DEPARTMENT OF THE INTERIOR**

Certified Local Government Products  
[nps.gov/subjects/clg/become-a-clg](http://nps.gov/subjects/clg/become-a-clg)

National Trust for Historic Preservation  
[www.nationaltrust.org](http://www.nationaltrust.org)



## DEPARTMENT OF PUBLIC WORKS

240 Columbus Avenue  
Sandusky, Ohio 44870  
419.627.5829  
[www.cityofsandusky.com](http://www.cityofsandusky.com)

To: John Orzech, City Manager

From: Aaron M. Klein, P.E.

Date: March 12, 2024

**Subject: Commission Agenda Item - Consent to ODOT for the resurfacing of SR-2**

**ITEM FOR CONSIDERATION:** Legislation for resolution giving the City of Sandusky's consent to the State of Ohio, Ohio Department of Transportation (ODOT) for the completion of Project ERI-2-0.00 (PID No. 115168) which includes State Route 2 pavement repairs in Sandusky in Erie County.

**BACKGROUND INFORMATION:** The State has identified the need to resurface pavement using an asphalt concrete overlay and perform pavement repairs within the City of Sandusky in Erie County. This project resurfaces State Route 2 from SLM 0.00 (Ottawa county line) to SLM 7.72 (SR 4 interchange), including a small segment of the highway that passes through the southwest corner of City limits. This project is currently scheduled to be constructed in the summer of 2025.

**BUDGETARY INFORMATION:** No funds are required from the City. However, if the City requests to add construction items to the project, 100% of those costs would be the responsibility of the City. The City does not anticipate requesting any additional items at this time.

**ACTION REQUESTED:** It is recommended that a resolution giving the City of Sandusky's consent to ODOT for the completion of Project ERI-2-0.00 be approved. It is further requested that the resolution be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order to immediately execute the consent legislation and returned to ODOT as requested by April 25, 2024.

I concur with this recommendation:

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John Orzech  
City Manager

cc: C. Myers, Commission Clerk; M. Reeder, Finance Director; S. Hastings, Law Director

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION ADOPTING THE CONSENT LEGISLATION SUBMITTED BY THE DIRECTOR OF THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE STATE ROUTE 2 PAVEMENT REPAIRS IN SANDUSKY PROJECT, PID NO. 115168; AUTHORIZING AND DIRECTING THE CITY MANAGER TO SIGN THE CONSENT LEGISLATION AND TO EXECUTE ANY NECESSARY CONTRACTS WITH THE DIRECTOR OF TRANSPORTATION FOR THIS PROJECT; AND DECLARING THAT THIS RESOLUTION SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.**

**WHEREAS**, the consent legislation, a copy of which is attached to this Resolution and marked Exhibit “1”, is necessary for the Director of the Ohio Department of Transportation to provide services to resurface pavement using an asphalt concrete overlay and perform pavement repairs in the City of Sandusky and this project includes State Route 2 from the Ottawa County Line to State Route 4 interchange, including a small segment of the highway that passes through the southwest corner of the City limits; and

**WHEREAS**, the consent legislation, Exhibit “A” attached to this Resolution, provides the terms of the agreement and cooperation between the City of Sandusky and the Director of Transportation regarding the completion of the project; and

**WHEREAS**, no funds are required from the City except that the City agrees to assume and bear 100% of the total cost for added construction items requested by the City and not necessary for the improvements as determined by the State and the Federal Highway Administration; and

**WHEREAS**, this Resolution should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order to execute and return the consent legislation to the Ohio Department of Transportation prior to April 25, 2024 as requested; and

**WHEREAS**, in that it is deemed necessary in order to provide for the immediate preservation of the public peace, property, health, and safety of the City of Sandusky, Ohio, and its citizens, and to provide for the efficient daily operation of the Municipal Departments, including the Department of Public Works, of the City of Sandusky, Ohio, the City Commission of the City of Sandusky, Ohio, finds that an emergency exists regarding the aforesaid, and that it is advisable that this **Resolution** be declared an emergency measure which will take immediate effect in accordance with Section 14 of the City Charter upon its adoption; and NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF SANDUSKY, OHIO, THAT:

Section 1. The consent legislation submitted by the Director of the Ohio Department of Transportation, a copy of which is attached to this Resolution and marked Exhibit “1”, for the State Route 2 Pavement Repairs in Sandusky Project, PID No. 115168, consenting to the Director of Transportation to complete the project, is adopted by this City Commission and the President of this City

Commission is authorized to sign the consent legislation.

Section 2. The City Manager is hereby authorized and directed to sign the consent legislation and to execute any necessary contracts with the Director of Transportation to complete the State Route 2 Pavement Repairs in Sandusky Project, PID No. 115168.

Section 3. If any section, phrase, sentence, or portion of this Resolution is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Section 4. This City Commission finds and determines that all formal actions of this City Commission concerning and relating to the passage of this Resolution were taken in an open meeting of this City Commission and that all deliberations of this City Commission and of any of its committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

Section 5. That for the reasons set forth in the preamble hereto, this Resolution is hereby declared to be an emergency measure which shall take immediate effect in accordance with Section 14 of the City Charter after its adoption and due authentication by the President and the Clerk of the City Commission of the City of Sandusky, Ohio.

\_\_\_\_\_  
RICHARD R. BRADY  
PRESIDENT OF THE CITY COMMISSION

ATTEST: \_\_\_\_\_  
CATHLEEN A. MYERS  
CLERK OF THE CITY COMMISSION

Passed: March 25, 2024



## **CONSENT LEGISLATION**

Ordinance/Resolution No. \_\_\_\_\_

PID No. 115168

Project Name ERI-2-0.00

The following \_\_\_\_\_ enacted by the City of Sandusky of Erie County, Ohio,  
(Ordinance/Resolution)  
hereinafter referred to as the City, in the matter of the stated described project.

### **SECTION I - Project Description**

WHEREAS, the State has identified the need for the described project:

*To resurface pavement using an asphalt concrete overlay and perform pavement repairs in the City of Sandusky in Erie County. This project includes State Route 2 from SLM 0.00 (Ottawa county line) to SLM 7.72 (SR 4 interchange), State Route 2 from SLM 3.706 to SLM 4.761 is within City limits.*

*This project is currently scheduled to be constructed in the summer of 2025.*

NOW THEREFORE, be it ordained by the City of Sandusky of Erie County, Ohio.

### **SECTION II - Consent Statement**

Being in the public interest, the City gives consent to the Director of Transportation to complete the above described project.

### **SECTION III - Cooperation Statement**

The City shall cooperate with the Director of Transportation in the above described project as follows:

- 1) *The City gives consent for the above improvement,*
- 2) ***No funds are required from the City*** except that the City agrees to assume and bear one hundred percent (100%) of the total cost for added construction items requested by the City and not necessary for the improvement as determined by the State and the Federal Highway Administration.

### **SECTION IV - Maintenance**

Upon completion of the described Project, and unless otherwise agreed, the City shall:

- 1) Provide adequate maintenance for the described Project in accordance with all applicable state and federal law;*
- 2) Provide ample financial provisions, as necessary, for the maintenance of the described project;*
- 3) Maintain the right-of-way, keeping it free of obstructions; and hold said right-of-way inviolate for public highway purposes.*

EXHIBIT "1"

## SECTION V – Utilities and Right-of-Way Statement

If City owned utilities, within a corporation limit or in a private easement outside corporation limits, need to be relocated due to this ODOT project, the City will be reimbursed for any relocation work; ODOT will perform the coordination, relocation, and reimbursement which shall comply with the current provisions of 23 CFR 645 and the ODOT Utilities Manual.

If other public and private utilities need to be relocated due to this ODOT project they will not be reimbursed for relocation; with exceptions due to an easement, etc.

## SECTION VI - Authority to Sign

The \_\_\_\_\_ of said City of Sandusky is hereby empowered on behalf  
(Contractual Agent)  
of the City of Sandusky to enter into contracts with the Director of Transportation  
necessary to complete the above described project.

Passed: \_\_\_\_\_, 202\_\_\_\_.  
(Date)

Attested: \_\_\_\_\_  
(Clerk) (Officer of City - title)

Attested: \_\_\_\_\_  
(Title) (Mayor)

This \_\_\_\_\_ is hereby declared to be an emergency measure to expedite the highway  
(Ordinance/Resolution)  
project and to promote highway safety. Following appropriate legislative action, it shall take  
effect and be in force immediately upon its passage and approval, otherwise it shall take effect  
and be in force from and after the earliest period allowed by law.

**CERTIFICATE OF COPY**  
**STATE OF OHIO**  
**City of Sandusky of Erie County, Ohio**

I, \_\_\_\_\_, as Clerk of the City of Sandusky of Erie County, Ohio,

Do hereby certify that the foregoing is a true and correct copy of \_\_\_\_\_ adopted by  
(Ordinance/Resolution)

the legislative Authority of the said City of Sandusky on this \_\_\_\_ day of \_\_\_\_\_, 202\_\_,

that the publication of such \_\_\_\_\_ has been made and certified of record according  
to

(Ordinance/Resolution)

law; that no proceedings looking to a referendum upon such \_\_\_\_\_ have been  
taken;

(Ordinance/Resolution)

and that such \_\_\_\_\_ and certificate of publication thereof are of record in

(Ordinance/Resolution)

\_\_\_\_\_, Page \_\_\_\_\_.

(Ordinance/Resolution)

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official  
seal, if applicable, this \_\_\_\_ day of \_\_\_\_\_, 202\_\_,

(SEAL)  
(If Applicable)

\_\_\_\_\_  
Clerk Signature

City of Sandusky of Erie County, Ohio.

The foregoing is accepted as a basis for proceeding with the project herein described.

For the City of Sandusky of Erie County, Ohio

Attest: \_\_\_\_\_, Date \_\_\_\_\_

Contractual Officer



## DEPARTMENT OF PUBLIC WORKS

240 Columbus Avenue  
Sandusky, Ohio 44870  
419.627.5829  
[www.cityofsandusky.com](http://www.cityofsandusky.com)

To: John Orzech, City Manager

From: Megan Stookey, Project Manager

Date: March 12, 2024

**Subject: Commission Agenda Item – Award the ERI Sandusky Meadowood Sidewalk Project, PID 117271 to Smith Paving & Excavating, Inc. of Norwalk, Ohio**

**ITEM FOR CONSIDERATION:** Legislation awarding a contract to Smith Paving & Excavating, Inc. of Norwalk, Ohio for the ERI Sandusky Meadowood Sidewalk Project, PID 117271.

**BACKGROUND INFORMATION:** Legislation was presented at the January 8, 2024, City Commission meeting requesting permission to proceed with the ERI Sandusky Meadowood Sidewalk Project, PID 117271 (Resolution 002-24R). The project includes extending concrete sidewalks along East Oldgate Road, Heritage Drive, Fox Run Trail, Fallen Timber Drive, Pioneer Trail and Foxborough Circle. Along these streets there are residential lots that have not been developed and do not have sidewalks installed that connect to existing sidewalks. Staff is proposing to fill-in all of the voids and bring curb ramps into compliance with American Disability Act (ADA) standards. When residential lots are purchased and housing constructed, future property owners would be responsible for repair of all sidewalks as needed.

The following bids were received Friday, March 1, 2024, at a formal public bid opening:

Smith Paving and Excavating, Inc. Norwalk, Ohio	Base Bid 100% Bond	\$134,481.30
D.L Smith Concrete, LLC Norwalk, Ohio	Base Bid 100% Bond	\$177,601.15
RMH Concrete & Foundations Collins, Ohio	Base Bid 100% Bond	\$151,282.80
D2 Excavating, LLC Vickery, Ohio	Base Bid 100% Bid Bond	\$178,303.00

The engineer's estimate for the base bid was \$186,690.45 and a completion date of June 15, 2024, has been set.

**BUDGETARY INFORMATION:** The total contract price shall not exceed \$134,481.30 and shall be split with ODOT funding 80% of the project in an amount of \$107,585.04 and the City covering the remaining 20% in an amount of \$26,896.26 being paid for with Capital Projects Funds (issue 8 Infrastructure).



**ACTION REQUESTED:** It is recommended that proper legislation be prepared awarding a contract to Smith Paving & Excavating, Inc. of Norwalk, Ohio for the ERI Sandusky Meadowood Sidewalk Project, PID 117271 in an amount not to exceed \$134,481.30 be approved and that the necessary legislation be passed under suspension of the rules and in accordance with Section 14 of the City Charter to allow execution of the contract and issuance of a notice to proceed immediately, so work can be completed prior to the completion date of June 15, 2024.

I concur with this recommendation:

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John Orzech  
City Manager

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Aaron Klein  
Director

cc: C. Myers, Commission Clerk; M. Reeder, Finance Director; S. Hastings, Law Director

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH SMITH PAVING AND EXCAVATING, INC. OF NORWALK, OHIO, FOR THE MEADOWOOD SUBDIVISION SIDEWALK PROJECT; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.**

**WHEREAS**, the proposed Meadowood Subdivision Sidewalk Project will provide for the extension of concrete sidewalks along East Oldgate Road, Heritage Drive, Fox Run Trail, Fallen Timber Drive, Pioneer Trail and Foxborough Circle, including lots that have not been developed and do not have sidewalks installed that connect to existing sidewalks, and includes improvements to curb ramps to be in compliance with American Disability Act (ADA) standards; and

**WHEREAS**, the City Commission approved the submission of an application to the Erie Regional Planning Commission Metropolitan Planning Organization (MPO) for financial assistance for the Meadowood Subdivision Sidewalk Project and, if awarded, approving an LPA Federal Local-Let Project Agreement with the Ohio Department of Transportation by Resolution No. 008-22R, passed on February 14, 2022; and

**WHEREAS**, this City Commission declared the necessity for the City to proceed with the proposed Meadowood Subdivision Sidewalk Project by Resolution No. 002-24R, passed on January 8, 2024; and

**WHEREAS**, upon public competitive bidding as required by law four (4) appropriate bids were received and the bid from Smith Paving and Excavating, Inc. of Norwalk, Ohio, was determined to be the lowest and best bid; and

**WHEREAS**, the total construction cost of this project is \$134,481.30 of which \$107,585.04 (80%) will be paid with grant funds from the Ohio Department of Transportation and the remaining balance of \$47,317.10 will be paid with Capital Projects Funds; and

**WHEREAS**, this Ordinance should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter to allow execution of the contract and issuance of a notice to proceed immediately, so work can be completed prior to the project completion deadline of June 15, 2024; and

**WHEREAS**, in that it is deemed necessary in order to provide for the immediate preservation of the public peace, property, health, and safety of the City of Sandusky, Ohio, and its citizens, and to provide for the efficient daily operation of the Municipal Departments, including the Department of Public Works, of the City of Sandusky, Ohio, the City Commission of the City of Sandusky, Ohio finds that an emergency exists regarding the aforesaid, and that it is advisable that this **Ordinance** be declared an emergency measure which will take immediate effect in accordance with Section 14 of the City Charter upon its adoption; and NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF SANDUSKY, OHIO, THAT:

Section 1. The City Manager is authorized and directed to enter into a contract with Smith Paving and Excavating, Inc. of Norwalk, Ohio, for the Meadow Subdivision Sidewalk Project (PID #117271) in an amount **not to exceed** One Hundred Thirty-Four Thousand Four Hundred Eighty-One and 30/100 Dollars (\$134,481.30) consistent with the bid submitted by Smith Paving and Excavating, Inc. of Norwalk, Ohio, currently on file in the office of the Director of Public Works.

Section 2. If any section, phrase, sentence, or portion of this Ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Section 3. This City Commission finds and determines that all formal actions of this City Commission concerning and relating to the passage of this Ordinance were taken in an open meeting of this City Commission and that all deliberations of this City Commission and of any of its committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

Section 4. That for the reasons set forth in the preamble hereto, this Ordinance is hereby declared to be an emergency measure which shall take immediate effect in accordance with Section 14 of the City Charter after its adoption and due authentication by the President and the Clerk of the City Commission of the City of Sandusky, Ohio.

\_\_\_\_\_  
RICHARD R. BRADY  
PRESIDENT OF THE CITY COMMISSION

ATTEST: \_\_\_\_\_  
CATHLEEN A. MYERS  
CLERK OF THE CITY COMMISSION

Passed: March 25, 2024



## DEPARTMENT OF PUBLIC WORKS

240 Columbus Avenue  
Sandusky, Ohio 44870  
419.627.5829  
[www.cityofsandusky.com](http://www.cityofsandusky.com)

To: John Orzech, City Manager

From: Joshua R. Snyder, P.E.

Date: March 12, 2024

Subject: **Commission Agenda Item - Change Order #1 & Final for an increase, on the 2023 West Monroe Street Outfall Project**

**ITEM FOR CONSIDERATION:** Requesting legislation approving Change Order #1 and Final for the 2023 West Monroe Street Outfall Project.

**BACKGROUND INFORMATION:** Through Commission approval at the October 23, 2023, meeting, via Ordinance 23-212, a contract was awarded to Great Lakes Demolition Company LLC of Clyde, Ohio for the 2023 West Monroe Street Outfall Project. This project consisted of installation of about 1500' of storm sewer pipe, 11 Catch Basin structures, and restoration of the site. It now allows for storm flows from West Monroe Street from all the way to Camp Street. These significant flows from Broadway to Mills Creek are now directly going into Mills creek and not entering the sanitary sewer and being treated at the Waste Water Treatment Plant (WWTP), saving money on utilities and chemicals for treatment of stormwater from this area that is no longer going to the plant.

Once crews began construction on the project several unforeseen issues appeared that needed to be addressed to complete the planned work. During excavation it was evident that there was unstable soils and subgrade under various areas of the roadway, causing the road to cave-in. Many of these locations required replacement of the pavement to the centerline of the roadway, whereas the project was designed to do just the trench repair. Further, it was discovered that the outfall pipe discharging into Mills Creek was offset and its aggregate bedding material had been washed away, likely in part due to the high bay levels rising and receding in recent years, which was leading to voids under the abutting roadway pavement. To address the issue additional fill material and piping was used to fill the voided areas and properly compact the pipe into place.

For these reasons and variation in quantities from the estimate to construction, the project has an overall increase of \$97,881.15, see detailed change order attached.

**BUDGETARY INFORMATION:** This original contract was not to exceed \$553,951.00. The final contract amount will be \$651,832.15, which is an increase of \$97,881.15, and shall be paid with Sewer Funds.

**ACTION REQUESTED:** It is requested that legislation be prepared to approve Change Order #1 and Final for the 2023 West Monroe Street Outfall Project. It is further requested that this be passed in accordance with Section 14 of the City Charter in order to make final payment to the contractor for work performed and close out the completed project.

I concur with this recommendation:

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John Orzech, City Manager

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Aaron Klein, Director

cc: C. Myers, Commission Clerk; M. Reeder, Finance Director; S. Hastings, Law Director

City of Sandusky, Department of Public Works

CHANGE ORDER FORM

2023 West Monroe Street Outfall Project

Contract Amount    \$553,951.00

ORD. 23-212

					Great Lakes Demoiition Company Clyde, Ohio						
ITEM NO.	ITEM	ESTIMATED QTY.	ACTUAL QTY.	UNITS	MATERIAL UNIT PRICE	LABOR UNIT PRICE	TOTAL UNIT PRICE	BID EXTENDED UNIT PRICE	ACTUAL EXTENDED UNIT PRICE	VARIANCE	% VAR
1	Insurance	1	1	LS			\$ 4,500.00	\$ 4,500.00	\$ 4,500.00	\$ -	0%
2	Bonding	1	1	LS			\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ -	0%
3	Mobilization	1	1	LS			\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ -	0%
4	Maintenance of Traffic	1	1	LS			\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ -	0%
5	12" ADS HP Storm Pipe, inc. fittings, saw cutting, all exc./removal and trench backfill	177	167	LF	\$ 50.00	\$ 20.00	\$ 70.00	\$ 12,390.00	\$ 11,690.00	\$ (700.00)	-6%
6	24" ADS HP Storm Pipe, inc. bends, saw cutting, exc. And trench backfill	60	0	LF	\$ 90.00	\$ 70.00	\$ 160.00	\$ 9,600.00	\$ -	\$ (9,600.00)	-100%
7	36" ADS HP Storm Pipe, inc. bends, saw cutting,exc. And trench backfill	1470	1530	LF	\$ 105.00	\$ 80.00	\$ 185.00	\$ 271,950.00	\$ 283,050.00	\$ 11,100.00	4%
8a	CB Castings, East Jordan 7350 w/M2 Grate Installed & Adjusted	5	5	EA	\$ 800.00	\$ 250.00	\$ 1,050.00	\$ 5,250.00	\$ 5,250.00	\$ -	0%
8b	CB Castings, East Jordan 5000 w/M2 Grate Installed & Adjusted	6	6	EA	\$ 800.00	\$ 250.00	\$ 1,050.00	\$ 6,300.00	\$ 6,300.00	\$ -	0%
9	Pavement Repair for Trench Buildup, as per TR-4 (8" concrete reinfoed with (2) 1.25" lifts PG64-22 Type 2 - Intermediate )	755	1268.95	SY	\$ 84.00	\$ 55.00	\$ 139.00	\$ 104,945.00	\$ 176,384.05	\$ 71,439.05	68%
10	Curb Replacement inc. removal (TYPE 6)	75	692	LF	\$ 25.00	\$ 30.00	\$ 55.00	\$ 4,125.00	\$ 38,060.00	\$ 33,935.00	823%
11	4" sidewalk, inc. removal	1000	0	SF	\$ 6.00	\$ 4.50	\$ 10.50	\$ 10,500.00	\$ -	\$ (10,500.00)	-100%
12	ADA Ramps	5	0.7272727	EA	\$ 200.00	\$ 350.00	\$ 550.00	\$ 2,750.00	\$ 400.00	\$ (2,350.00)	-85%
13a	CB Structures, Precast ODOT 3 Installed, Inc. Removal of Existing CB	5	5	EA	\$ 4,200.00	\$ 3,500.00	\$ 7,700.00	\$ 38,500.00	\$ 38,500.00	\$ -	0%
13b	CB Structures, Precast ODOT 2-2B Installed, Inc. Removal of Existing CB	6	6	EA	\$ 1,100.00	\$ 1,650.00	\$ 2,750.00	\$ 16,500.00	\$ 16,500.00	\$ -	0%
14	Seed and Mulch	166	166	SY	\$ 2.00	\$ 1.50	\$ 3.50	\$ 581.00	\$ 581.00	\$ -	0%
15	Water Service, Replacement & Reconnect	6	1	EA	\$ 890.00	\$ 870.00	\$ 1,760.00	\$ 10,560.00	\$ 1,760.00	\$ (8,800.00)	-83%
16a	Sewer Lateral, Replacement & Reconnect	5	1	EA	\$ 350.00	\$ 870.00	\$ 1,220.00	\$ 6,100.00	\$ 1,220.00	\$ (4,880.00)	-80%
16b	Sewer Storm Lateral, Cap/Grout Fill - "Abandon"	8	18	EA	\$ 200.00	\$ 100.00	\$ 300.00	\$ 2,400.00	\$ 5,400.00	\$ 3,000.00	125%
17	Contingency	1	0	LS			\$ 32,000.00	\$ 32,000.00		\$ (32,000.00)	-100%



FA 1	Force Account 1 - Altering Existing Pipes - failing outfall pipe		1	LS			\$9,188.32		\$ 9,188.32		
FA 2	Force Account 2 - Additional Sawcutting - 16-18" pavement depth		1	LS			\$8,233.32		\$ 8,233.32		
FA 3	Force Account 3 - MH 3 Wrong Pipe Size/Elevation		1	LS			\$5,957.70		\$ 5,957.70		
FA 4	Force Account 4 - Reroute lines in conflict w/ Flowline		1	LS			\$3,811.69		\$ 3,811.69		
FA 5	Force Account 5 - Reroute lines in conflict w/ Flowline		1	LS			\$5,697.84		\$ 5,697.84		
FA 6	Force Account 6 - Reroute lines in conflict w/ Flowline		1	LS			\$2,344.59		\$ 2,344.59		
FA 7	Force Account 7 - Reduce 15" to 8" in conflict w/ Flowline		1	LS			\$3,516.88		\$ 3,516.88		
FA 8	Force Account 8 - Mismarked Waterlines, suckholes		1	LS			\$5,358.72		\$ 5,358.72		
FA 9	Force Account 9 - CB offset to curbline		1	LS			\$3,731.33		\$ 3,731.33		
FA 10	Force Account 10 - Water Service Work		1	LS			\$ 15,026.21		\$ 15,026.21		
FA 11	Force Account 11 - CB #28 - grade adjust at City's direction		1	LS			\$ 250.00		\$ 250.00		
DED 1	EJ 5000 Castings - used City instead - Credit		6	EA			\$ (465.00)		\$ (2,790.00)		
DED 2	Concrete Block Adjustment Credit		2	EA			\$ (200.00)		\$ (400.00)		
DED 3	Trench repair - full concrete in lieu of Asphalt - Credit		1268.95	SY			\$ (10.00)		\$ (12,689.50)		
					GRAND TOTALS			\$553,951.00	\$651,832.15		
Contractual Award Amount			\$ 553,951.00								

OVER/UNDER


\$97,881.15

17.67%

INCREASE

CONTRACTOR  
NAME OF REPRESENTATIVE:

CITY  
NAME OF REPRESENTATIVE:

AGREED,  


DATE  
2/27/2024

## CERTIFICATE OF FUNDS

In the Matter of: Great Lakes Demolition- Monroe Street Outfall Final c/o

IT IS HEREBY CERTIFIED that the moneys required to meet the obligations of the City of Sandusky under the foregoing Contract have been lawfully appropriated for such purposes and are in the treasury of the City of Sandusky or are in the process of collection to an appropriate fund, free from any previous encumbrances. This certificate is given compliance with Sections 5705.41 and 5705.44, Ohio Revised Code.

Account #613-5263-55990

By: Michelle Reeder

Michelle Reeder

Finance Director

Dated: 3/18/24

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO APPROVE THE FIRST & FINAL CHANGE ORDER FOR WORK PERFORMED BY GREAT LAKES DEMOLITION COMPANY LLC OF CLYDE, OHIO, FOR THE 2023 WEST MONROE STREET OUTFALL PROJECT IN THE AMOUNT OF \$97,881.15; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.**

**WHEREAS**, the 2023 West Monroe Street Outfall Project involved the addition of almost 1500 feet of 36 inch storm sewer that will be dedicated for carrying stormwater flows westward, away from the intersection of Broadway Street and W. Monroe Street, discharging the clean water into Mills Creek at the existing bridge as well as replacement catch basin structures with the ability to absorb more runoff than the existing basins and the project will divert thousands of gallons of stormwater away from the Wastewater Treatment Plant and directly into the Bay; and

**WHEREAS**, this City Commission declared the necessity for the City to proceed with the proposed 2023 West Monroe Street Outfall Project by Resolution No. 041-23R, passed on September 11, 2023; and

**WHEREAS**, the City Commission approved the awarding of the contract to Great Lakes Demolition Company LLC of Clyde, Ohio, for work to be performed for the 2023 West Monroe Street Outfall Project by Ordinance No. 23-212, passed on October 23, 2023; and

**WHEREAS**, this First & Final Change Order reflects the actual work performed and the actual quantities used in the field by the contractor as well as additional work required due to unforeseen issues discovered once crews began construction and includes pavement repair to the centerline of roadway and additional fill material and piping; and

**WHEREAS**, the original contract with Great Lakes Demolition Company LLC of Clyde, Ohio, was \$553,951.00, and with the addition of this First & Final Change Order in the amount of \$97,881.15, the final contract cost is \$651,832.15 and the cost of the Change Order will be paid with Sewer Fund; and

**WHEREAS**, this Ordinance should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order to make payment to the contractor for work already performed and items already installed in the field and to close out the completed project; and

**WHEREAS**, in that it is deemed necessary in order to provide for the immediate preservation of the public peace, property, health, and safety of the City of Sandusky, Ohio, and its citizens, and to provide for the efficient daily operation of the Municipal Departments, including the Department of Public Works, of the City of Sandusky, Ohio, the City Commission of the City of Sandusky, Ohio finds that an emergency exists regarding the aforesaid, and that it is advisable that this **Ordinance** be declared an emergency measure which will take immediate effect in accordance with Section 14 of the City Charter upon its adoption; and NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF SANDUSKY, OHIO,

THAT:

Section 1. The City Manager is hereby authorized and directed to approve this First & Final Change Order for work performed for the 2023 West Monroe Street Outfall Project in an amount **not to exceed** Ninety-Seven Thousand Eight Hundred Eighty-One and 15/100 Dollars (\$97,881.15) resulting in the final contract cost of Six Hundred Fifty-One Thousand Eight Hundred Thirty-Two and 15/100 Dollars (\$651,832.15) with Great Lakes Demolition Company LLC of Clyde, Ohio.

Section 2. If any section, phrase, sentence, or portion of this Ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Section 3. This City Commission finds and determines that all formal actions of this City Commission concerning and relating to the passage of this Ordinance were taken in an open meeting of this City Commission and that all deliberations of this City Commission and of any of its committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

Section 4. That for the reasons set forth in the preamble hereto, this Ordinance is hereby declared to be an emergency measure which shall take immediate effect in accordance with Section 14 of the City Charter after its adoption and due authentication by the President and the Clerk of the City Commission of the City of Sandusky, Ohio.

\_\_\_\_\_  
RICHARD R. BRADY  
PRESIDENT OF THE CITY COMMISSION

ATTEST: \_\_\_\_\_  
CATHLEEN A. MYERS  
CLERK OF THE CITY COMMISSION

Passed: March 25, 2024



## DEPARTMENT OF PUBLIC WORKS

240 Columbus Avenue  
Sandusky, Ohio 44870  
419.627.5829  
[www.cityofsandusky.com](http://www.cityofsandusky.com)

To: John Orzech, City Manager

From: Josh Snyder, P.E., Public Works Engineer

Date: March 13, 2024

Subject: **Commission Agenda Item - ERI-6-9.07 (Cleveland Rd.) PID 114056 Cleveland Road Safety Improvement Project, Property Appropriations**

**ITEM FOR CONSIDERATION:** Legislation approving property appropriations for the purpose of roadway improvements as it relates to the Cleveland Road for the ERI-6-9.07 (Cleveland Rd.) PID 114056 Cleveland Road Safety Improvement Project which are open to the public without charge, authorizing the appropriation of funds for deposit with the Clerk of Courts, and authorizing the City Law Director and/or his designee to file a petition for appropriation in the Court of Common Pleas, Erie County.

**BACKGROUND INFORMATION:** Through previously approved legislation the City signed into agreement with American Structurepoint, Inc. for the full design of the ERI-6-9.07 (Cleveland Rd.) PID 114056 Cleveland Road Safety Improvement Project. Through the detailed design phase, it was determined how much additional right-of-way was needed and temporary easements along Cleveland Road to move forward with the installation of a new roundabout at the intersection of Cleveland & Cedar Point Drive, along with safety improvements at the intersections for Cleveland & Harbour Pkwy, Cleveland & Remington and Cleveland & Sycamore Line, including, traffic signal and pedestrian upgrades and increased traffic capacity via turn lane additions.

Staff is presenting seven properties in which we desire to filing appropriations for in the Court of Common Pleas, Erie County, as Notice of Intent to Acquire and Good Faith Offer have been served, in which, the owner and the City were unable to agree on the terms of a conveyance of the property as required by Ohio Revised Code, Section 163.04.

**57-03457.000, 54-WD, T, Vtanium Inc.**  
**Cleveland Road, Sandusky, OH 44870**  
*Notice of Intent to Acquire &  
Good Faith Offer Served 9/18/2023*

**57-01477.000, 53-WD, T, Yang Properties, LLC**  
**1934 Cleveland Road, Sandusky, OH 44870**  
*Notice of Intent to Acquire &  
Good Faith Offer Served 8/9/2023*

**57-04915.000, 55-WD, T, Robert Schoen**  
**Cleveland Road, Sandusky, OH 44870**  
*Notice of Intent to Acquire &  
Good Faith Offer Served 5/26/2023*

**57-00871.000, 105-WD, LLLL Investment LTD**  
**2106 Cleveland Road, Sandusky, OH 44870**  
*Notice of Intent to Acquire &  
Good Faith Offer Served 5/26/2023*

**57-04107.000, 52-T, Vtanium Inc.**  
**Cleveland Road, Sandusky, OH 44870**  
*Notice of Intent to Acquire &  
Good Faith Offer Served 5/23/2023*

**57-06003.000, 18-T, S & S Realty LTD**  
**1210 Sycamore Line, Sandusky, OH 44870**  
*Notice of Intent to Acquire &  
Good Faith Offer Served 7/17/2023*



**57-01378.000, 57-01379.00, 57-01380.00, 57-01381.00 51-WD,T**

**S & S Realty LTD**

**1935 Cleveland Road, Sandusky, OH 44870**

*Notice of Intent to Acquire &*

*Good Faith Offer Served 7/17/2023*

The City Commission approved acquisitions and temporary easements at the City Commission meeting on February 26, 2024, with the property owners who have agreed to the Notice of Intent to Acquire and Good Faith Offer. There will be additional legislation forthcoming at an upcoming meeting for the remaining properties as the consultant and City work through negotiations via the ODOT property acquisition process.

**BUDGETARY INFORMATION:** At time of filing the funds identified in the Notice of Intent to Acquire and Good Faith Offer shall be deposited with the Court in an amount not to exceed \$204,052.00, being paid for by the City and then reimbursed by Ohio Department of Transportation (ODOT). The funding split is \$10,202.60 (5%) City of Sandusky, Major Infrastructure Funds (Streets) and \$193,849.40 (95%) ODOT through the Safety funds.

57-03457.000 57-04107.000	54-WD,T 52-T	\$ 10,085.00	Vtanium Inc.
57-01477.000	53-WD, T	\$ 38,180.00	Yang Properties, LLC, an Ohio limited liability company
57-04915.000	55-WD, T	\$ 2,020.00	Robert G Schoen
57-00871.000	105-WD	\$ 1,946.00	LLLL Investments LTD
57-06003.000 57-01378.000 57-01379.000 57-01380.000 57-01381.000	18-T  51-WD, T	\$ 151,821.00	S & S Realty LTD

**ACTION REQUESTED:** It is recommended that proper legislation be prepared approving property appropriations for the purpose of roadway improvements as it relates to the Cleveland Road for the ERI-6-9.07 (Cleveland Rd.) PID 114056 Cleveland Road Safety Improvement Project which are open to the public without charge, authorizing the appropriation of funds for deposit with the Clerk of Courts, and authorizing the City Law Director and/or his designee to file a petition for appropriation in the Court of Common Pleas, Erie County and filing the offer price in an amount not to exceed \$204,821.00 be approved and that the necessary legislation be passed under suspension of the rules and in accordance with Section 14 of the City Charter to allow for the court filing of the appropriate documents in order to provide the appropriate documentation to ODOT in order to move forward with bidding the project.

I concur with this recommendation:

---

John Orzech  
City Manager

---

Aaron M. Klein  
Director

cc: C. Myers, Commission Clerk; M. Reeder, Finance Director; S. Hastings, Law Director

**CURVE DATA (C4)**  
 PI = STA 158+41.82  
 Δ = 22°12'00" RT  
 Dc = 01°30'00"  
 R = 3,819.78'  
 T = 749.41'  
 L = 1,480.02'  
 E = 72.82'

## Appropriations

## Temporary Easement

Worward Dord

In Process to Completion

**\*\* DENOTES PARKING SPACE TEMPORARILY IMPACTED DURING CONSTRUCTION**



RIGHT-OF-WAY TOPO SHEET  
STA 152+25.00 TO STA 157+75.00 - US-6

MM/YY	9/21/23	OWNERSHIP UPDATED FOR PARCEL 54	
REV. BY	DATE	DESCRIPTION	
DATE COMPLETED: 08-29-2023			

JBY/MWM	REVIEWER	BPB 07/17/23	PROJECT ID	114056	SUBSET TOTAL	14	27	SHEET TOTAL	P.184	P.197
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\* DENOTES RIGHT-OF-WAY ENCROACHMENT  
NOTE: ITEMS THAT ARE ENCROACHING AND NOT LABELED AS TO BE REMOVED AS PART OF THIS PROJECT ARE TO REMAIN BY CITY OF SANDUSKY CITY RIGHT-OF-WAY REVOCABLE USE PERMITS.



## CERTIFICATE OF FUNDS

In the Matter of: Cleveland Road Safety Improvement-Property Appropriations

IT IS HEREBY CERTIFIED that the moneys required to meet the obligations of the City of Sandusky under the foregoing Contract have been lawfully appropriated for such purposes and are in the treasury of the City of Sandusky or are in the process of collection to an appropriate fund, free from any previous encumbrances. This certificate is given compliance with Sections 5705.41 and 5705.44, Ohio Revised Code.

Account #431-6390-55990, 216-6120-55990

By: Michelle Reeder

Michelle Reeder

Finance Director

Dated: 3/18/24

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE APPROPRIATING PROPERTY INTEREST DESCRIBED AS PARCEL 54-WD, 54-T & 52-T AND NOW OWNED BY VTANIUM INC. FOR THE PURPOSE OF MAKING OR REPAIRING ROADS WHICH ARE OPEN TO THE PUBLIC WITHOUT CHARGE; AUTHORIZING THE APPROPRIATION OF FUNDS FOR DEPOSIT WITH THE CLERK OF COURTS; AUTHORIZING THE CITY LAW DIRECTOR AND/OR HIS DESIGNEE TO FILE A COMPLAINT FOR APPROPRIATION IN THE COURT OF COMMON PLEAS, ERIE COUNTY, OHIO; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.**

**WHEREAS**, the City, in cooperation with the Ohio Department of Transportation (ODOT), is undertaking the widening and changing the grade of Cleveland Road in the City described as ERI-6-9.07, PID 114056, Cleveland Road Safety Improvement Project (the Project), and it is necessary for the City, on behalf of ODOT, to acquire certain property necessary to provide right-of-way access for the project; and

**WHEREAS**, the proposed Cleveland Road Safety Improvement Project involves improvements to Cleveland Road (S.R. 6), primarily between Sycamore Line and Remington Avenue, including signal improvements, sidewalks, extending turn lanes and includes construction, environmental, surveying, geotechnical, acquisition, and inspection as well; and

**WHEREAS**, in connection with the Project, it is necessary for the City to acquire the property described as Parcels 54-WD, 54-T and 52-T, (Parcel Nos. 57-03457.000 and 57-04107.000 located on Cleveland Road) and further described on Exhibits "A-1", "A-2" and "A-3, attached hereto (the "Property"); and

**WHEREAS**, the City delivered a Notice of Intent to Acquire and Good Faith Offer dated September 18, 2023, and May 23, 2023, copies of which are on file with the Director of Public Works (the "Notice and Offer"), declaring the City's intent to acquire the Property to the owner of such Property (the "Owner"); and

**WHEREAS**, the Notice and Offer satisfies the City's requirements pursuant to Sections 163.04 and 163.041 of the Ohio Revised Code to provide written notice of the City's intent to acquire the Property and to provide the Owner with a written good faith offer to purchase the Property at an appraised fair market value at least 30 days prior to filing a complaint for appropriation; and

**WHEREAS**, following the delivery of the Notice and Offer, the City and the Owner were unable to agree on the terms of a conveyance of the Property, as required by Ohio Revised Code, Section 163.04; and

**WHEREAS**, the Project is necessary for (a) making or repairing roads which shall be open to the public in accordance with Section 163.06 of the Ohio Revised Code and (b) the opening, widening, straightening, changing the grade of and extension of Cleveland Road in accordance with Section 719.01(A) of the Ohio Revised Code; and

**WHEREAS**, this City Commission has determined to authorize the City to proceed with the appropriation of the Property pursuant to Chapter 163 of the

Ohio Revised Code and Section 719.05 of the Ohio Revised Code; and

**WHEREAS**, pursuant to Section 163.06 of the Ohio Revised Code, the City may deposit with the court at the time of filing the complaint to appropriate the value of the property appropriated together with the damages, if any, to the residue, as determined by the City, and stated in the Notice and Offer and thereupon take possession of and enter upon the Property appropriated; and

**WHEREAS**, the amount to be deposited with the Court is \$10,085.00 and will initially be paid by the City and then reimbursed through the Ohio Department of Transportation (ODOT) with Highway Safety Improvement Program (HSIP) funds in the amount of \$9,580.75 (95%) and the City's portion in the amount of \$504.25 (5%) will be paid with Major Infrastructure Street Funds; and

**WHEREAS**, this Ordinance should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter to allow the appropriate documents to be filed with the Court and provide the necessary documentation to ODOT in order to move forward with bidding the project; and

**WHEREAS**, in that it is deemed necessary in order to provide for the immediate preservation of the public peace, property, health, and safety of the City of Sandusky, Ohio, and its citizens, and to provide for the efficient daily operation of the Municipal Departments, including the Department of Public Works, of the City of Sandusky, Ohio, the City Commission of the City of Sandusky, Ohio finds that an emergency exists regarding the aforesaid, and that it is advisable that this **Ordinance** be declared an emergency measure which will take immediate effect in accordance with Section 14 of the City Charter upon its adoption; and NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF SANDUSKY, OHIO, THAT:

Section 1. This City finds that the City and the Owner of the Property have been unable to agree on the terms of a conveyance of the Property necessary for the Cleveland Road Safety Improvement Project.

Section 2. This City Commission determines it is necessary to appropriate the Property for the purposes of (a) making or repairing roads which shall be open to the public in accordance with Section 163.06 of the Ohio Revised Code and (b) the opening, widening, straightening, changing the grade of and extension of Cleveland Road in accordance with Section 719.01(A) of the Ohio Revised Code and hereby directs the appropriation of the Property to proceed in accordance with Chapters 163 and 719 of the Ohio Revised Code.

Section 3. The City Law Director and/or his designee is hereby directed to file a complaint for appropriation in the Erie County Court of Common Pleas in accordance with the procedures set forth in Chapters 163 and 719 of the Ohio



Revised Code.

Section 4. The City Finance Director is authorized to deposit the value of the Property, as determined in the Notice and Offer, in the amount of Ten Thousand Eighty-Five and 00/100 Dollars (\$10,085.00) with the Court at the time the appropriation complaint is filed to permit the City to immediately obtain possession the Property in furtherance of the Project.

Section 5. If any section, phrase, sentence, or portion of this Ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Section 6. This City Commission finds and determines that all formal actions of this City Commission concerning and relating to the passage of this Ordinance were taken in an open meeting of this City Commission and that all deliberations of this City Commission and of any of its committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

Section 7. That for reasons set forth in the preamble hereto, this Ordinance is hereby declared to be an emergency measure which shall take immediate effect in accordance with Section 14 of the City Charter upon its passage, and its due authentication by the President, and the Clerk of the City Commission of the City of Sandusky, Ohio.

\_\_\_\_\_  
RICHARD R. BRADY  
PRESIDENT OF THE CITY COMMISSION

ATTEST: \_\_\_\_\_  
CATHLEEN A. MYERS  
CLERK OF THE CITY COMMISSION

Passed: March 25, 2024

**Exhibit "A-1"**

LPA RX 851 WD

*JSC*  
Ver. Date 08/30/2023

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PID 114056

**PARCEL 54-WD  
ERI-06-09.07**

**ALL RIGHT, TITLE AND INTEREST IN FEE SIMPLE  
IN THE FOLLOWING DESCRIBED PROPERTY  
WITHOUT LIMITATION OF EXISTING ACCESS RIGHTS  
IN THE NAME AND FOR THE USE OF THE  
"CITY OF SANDUSKY, OHIO", ERIE COUNTY, OHIO**

Grantor/Owner, for himself and his heirs, executors, administrators, successors and assigns, reserves all existing rights of ingress and egress to and from any residual area (as used herein, the expression "Grantor/Owner" includes the plural, and words in the masculine include the feminine or neuter).

[Surveyor's description of the premises follows]

Situated in the State of Ohio, County of Erie, City of Sandusky, being located in Outlot 26 of Darling's Survey of Outlots East of Sycamore Line as depicted in Plat Book 1, Page 59, and being part of that **0.255 acre tract** described in a deed to **Vtanium, Inc.**, of record in **Record Number 202306085**, all records referenced herein are on file at the Office of the Recorder for Erie County, Ohio, being a parcel on the right side of the centerline of right-of-way for U.S. Route 6 (AKA Cleveland Avenue; R/W width varies), as delineated on the centerline plat for ERI-06-09.07, said parcel being more particularly bounded and described as follows:

Commencing for reference at the intersection of the centerline of right-of-way for U.S. Route 6 and the centerline of right-of-way for Cedar Point Drive, (reference a monument box found bearing South 16 degrees 30 minutes 20 seconds West at a distance of 1.24 feet), said point being at U.S. Route 6 centerline of right-of-way station 155+21.83;

Thence along the arc of a non-tangent curve to the right, along the centerline of right-of-way for U.S. Route 6, said curve having a radius of **3,819.77 feet**, a central angle of **00 degrees 21 minutes 21 seconds**, and an arc length of **23.72 feet** to a point, said curve being subtended by a long chord having a bearing of **South 73 degrees 29 minutes 09 seconds East** and a length of **23.72 feet**, said point being at U.S. Route 6 centerline of right-of-way station 155+45.55;

Thence **South 16 degrees 41 minutes 31 seconds West**, a distance of **40.00 feet** to an iron pin set on the existing south right-of-way line for U.S. Route 6, being on the south line of that right-of-way easement described as Parcel 20 appropriated by County of Erie, of record in Probate Case Number 21395, said MAG nail being at the northeast corner of said 0.255 acre tract, being at the

## **EXHIBIT A**

LPA RX 851 WD

Page 2 of 3

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northwest corner of that 35.6128 acre tract described in a deed to Robert G. Schoen, of record in Record Number 200013679, said iron pin being 40.00 feet right of U.S. Route 6 centerline of right-of-way station 155+45.55, and said iron pin being the **TRUE POINT OF BEGINNING** for this description;

Thence **South 38 degrees 51 minutes 26 seconds West**, along the east line of said 0.255 acre tract and along the west line of said Robert G. Schoen tract, a distance of **41.77 feet** to an iron pin set, said iron pin being 78.65 feet right of U.S. Route 6 centerline of right-of-way station 155+29.46;

Thence through said 0.255 acre tract along the following four (4) described courses:

1. **North 86 degrees 07 minutes 22 seconds West**, a distance of **15.77 feet** to an iron pin set, said iron pin being 82.05 feet right of U.S. Route 6 centerline of right-of-way station 155+13.73;
2. **North 69 degrees 16 minutes 06 seconds West**, a distance of **25.50 feet** to an iron pin set, said iron pin being 79.96 feet right of U.S. Route 6 centerline of right-of-way station 154+87.76;
3. **North 52 degrees 24 minutes 51 seconds West**, a distance of **25.50 feet** to an iron pin set, said iron pin being 70.43 feet right of U.S. Route 6 centerline of right-of-way station 154+63.64;
4. **North 43 degrees 59 minutes 13 seconds West**, a distance of **33.59 feet** to an MAG nail set on the west line of said 0.255 acres, being on the east line of that 0.612 acre tract described in a deed to Yang Properties, LLC, of record in Record Number 201310240, said MAG nail being 53.25 feet right of U.S. Route 6 centerline of right-of-way station 154+34.30;

Thence **North 09 degrees 56 minutes 26 seconds East**, along the west line of said 0.255 acre tract and along the east line of said Yang Properties, LLC tract, a distance of **13.30 feet** to a MAG nail set on the existing south right-of-way line for said U.S. Route 6, being on the south line of said Parcel 20, being at the northwest corner of said 0.255 acre tract, being at the northeast corner of said Yang Properties, LLC tract, said MAG nail being 40.00 feet right of U.S. Route 6 centerline of right-of-way station 154+33.11;

Thence along the arc of a non-tangent curve to the right, along the existing south right-of-way line for said U.S. Route 6, along the south line of said Parcel 20 and along the north line of said 0.255 acre tract, said curve having a radius of **3,779.77 feet**, a central angle of **01 degree 41 minutes 12 seconds**, and an arc length of **111.26 feet** to the **TRUE POINT OF BEGINNING** for this



**EXHIBIT A**

LPA RX 851 WD

Page 3 of 3

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description, said curve being subtended by a long chord having a bearing of **South 74 degrees 09 minutes 04 seconds East** and a length of **111.26 feet**.

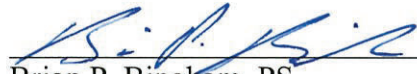
The above described right-of-way parcel contains a total area of **0.0782 acres** (0.000 acres located within present road occupied), all of which is located within Erie County Auditor's parcel number 57-03457.000.

The bearings described herein are based on Grid North, referenced to the Ohio State Plane Coordinate System (North Zone) and the North American Datum of 1983 (2011 Adjustment), as established utilizing a GPS survey and an NGS OPUS solution.

Iron pins referenced as set are 5/8 inch diameter by 30 inch long rebar with caps inscribed "ASI PS 8438".

The above described right-of-way parcel was prepared under the direct supervision of Brian P. Bingham, Registered Professional Surveyor No. 8438 on November 21, 2022, is based on an actual survey performed by American Structurepoint, Inc., and is true and correct to the best of my knowledge and belief.

American Structurepoint, Inc.

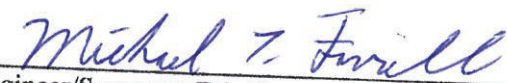


Brian P. Bingham, PS  
Registered Professional Surveyor No. 8438



8/30/2023  
Date

APPROVED as per Erie County Requirements  
And Sections 4733-37 thru 4733-37-07 of the Ohio  
Administrative Code only. No Field Verifications  
for Accuracy made.

  
Engineer/Surveyor: Erie County Engineer's  
Date: 9-11-2023

**Exhibit "A-2"**

LPA RX 887 T

*gsc*  
Ver. Date 08/30/2023

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PID 114056

**PARCEL 54-T  
ERI-06-09.07**

**TEMPORARY EASEMENT FOR THE PURPOSE OF  
PERFORMING THE WORK NECESSARY TO  
COMPLETE GRADING  
FOR 12 MONTHS FROM DATE OF ENTRY BY THE  
"THE CITY OF SANDUSKY, OHIO", ERIE COUNTY, OHIO**

[Surveyor's description of the premises follows]

Situated in the State of Ohio, County of Erie, City of Sandusky, being located in Outlot 26 of Darling's Survey of Outlots East of Sycamore Line as depicted in Plat Book 1, Page 59, and being part of that **0.255 acre tract** described in a deed to **Vtanium, Inc.**, of record in **Record Number 202306085**, all records referenced herein are on file at the Office of the Recorder for Erie County, Ohio, being a parcel on the right side of the centerline of right-of-way for U.S. Route 6 (AKA Cleveland Avenue; R/W width varies), as delineated on the centerline plat for ERI-06-09.07, said parcel being more particularly bounded and described as follows:

Commencing for reference at an iron pin set on the existing south right-of-way line for U.S. Route 6, being on the south line of that right-of-way easement described as Parcel 20 appropriated by County of Erie, of record in Probate Case Number 21395, said MAG nail being at the northeast corner of said 0.255 acre tract, being at the northwest corner of that 35.6128 acre tract described in a deed to Robert G. Schoen, of record in Record Number 200013679, said iron pin being 40.00 feet right of U.S. Route 6 centerline of right-of-way station 155+45.55;

Thence **South 38 degrees 51 minutes 26 seconds West**, along the east line of said 0.255 acre tract and along the west line of said Robert G. Schoen tract, a distance of **41.77 feet** to an iron pin set at the **TRUE POINT OF BEGINNING** for this description, said iron pin being 78.65 feet right of U.S. Route 6 centerline of right-of-way station 155+29.46;

Thence **South 38 degrees 51 minutes 26 seconds West**, continuing along the east line of said 0.255 acre tract and continuing along the west line of said Robert G. Schoen tract, a distance of **26.62 feet** to a point, said point being 103.25 feet right of U.S. Route 6 centerline of right-of-way station 155+19.03;

Thence **South 82 degrees 45 minutes 10 seconds West**, through said 0.255 acre tract, a distance of **4.74 feet** to a point, said point being 105.14 feet right of U.S. Route 6 centerline of construction station 155+14.56;

Thence **North 43 degrees 59 minutes 13 seconds West**, continuing through said 0.255 acre tract, a distance of **90.40 feet** to a point on the west line of said 0.255 acre tract, being on the east line of that 0.612 acre tract described in a deed to Yang Properties, LLC, of record in Record Number 201310240, said point being 59.41 feet right of U.S. Route 6 centerline of right-of-way station 154+34.86;



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Thence **North 09 degrees 56 minutes 26 seconds East**, along the west line of said 0.255 acre tract and along the east line of said Yang Properties, LLC tract a distance of **6.19 feet** to a MAG nail set, said MAG nail being 53.25 feet right of U.S. Route 6 centerline of right-of-way station 154+34.30;

Thence through said 0.255 acre tract and along a proposed right-of-way parcel along the following four (4) described courses:

1. **South 43 degrees 59 minutes 13 seconds East**, a distance of **33.59 feet** to an iron pin set, said iron pin being 70.43 feet right of U.S. Route 6 centerline of right-of-way station 154+63.64;
2. **South 52 degrees 24 minutes 51 seconds East**, a distance of **25.50 feet** to an iron pin set, said iron pin being 79.96 feet right of U.S. Route 6 centerline of right-of-way station 154+87.76;
3. **South 69 degrees 16 minutes 06 seconds East**, a distance of **25.50 feet** to an iron pin set, said iron pin being 82.05 feet right of U.S. Route 6 centerline of right-of-way station 155+13.73;
4. **South 86 degrees 07 minutes 22 seconds East**, a distance of **15.77 feet** to the **TRUE POINT OF BEGINNING** for this description.

The above described temporary easement contains a total area of **0.0230 acres**, all of which is located within Erie County Auditor's parcel number 57-03457.000.

The bearings described herein are based on Grid North, referenced to the Ohio State Plane Coordinate System (North Zone) and the North American Datum of 1983 (2011 Adjustment), as established utilizing a GPS survey and an NGS OPUS solution.

The above described temporary easement was prepared under the direct supervision of Brian P. Bingham, Registered Professional Surveyor No. 8438 on November 21, 2022, is based on an actual survey performed by American Structurepoint, Inc., and is true and correct to the best of my knowledge and belief.

American Structurepoint, Inc.



Brian P. Bingham, PS  
Registered Professional Surveyor No. 8438



Date

APPROVED as per Erie County Requirements  
And Sections 4733-37 thru 4733-37-07 of the Ohio  
Administrative Code only. No Field Verifications  
for Accuracy made.

  
Engineer/Surveyor: Erie County Engineer's

Date: 9-11-2023

**Exhibit "A-3"**

LPA RX 887 T

Ver. *JSA* Date 10/25/2023

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PID 114056

**PARCEL 52-T  
ERI-06-09.07**

**TEMPORARY EASEMENT FOR THE PURPOSE OF  
PERFORMING THE WORK NECESSARY TO  
COMPLETE GRADING AND CONSTRUCT A DRIVE  
FOR 12 MONTHS FROM DATE OF ENTRY BY THE  
"THE CITY OF SANDUSKY, OHIO", ERIE COUNTY, OHIO**

[Surveyor's description of the premises follows]

Situated in the State of Ohio, County of Erie, City of Sandusky, being located in Outlot 26 of Darling's Survey of Outlots East of Sycamore Line as depicted in Plat Book 1, Page 59, and being part of that **0.248 acre tract** described in deeds to **Vtanium, Inc.**, of record in **Record Numbers 202110055 and 202200562**, all records referenced herein are on file at the Office of the Recorder for Erie County, Ohio, being a parcel on the right side of the centerline of right-of-way for U.S. Route 6 (Cleveland Road, R/W width varies), as delineated on the centerline plat for ERI-06-09.07, said parcel being more particularly bounded and described as follows:

**BEGINNING** at a point on the existing south right-of-way line for U.S. Route 6, said point being the northeast corner of said 0.248 acre tract, being the northwest corner of that 0.612 acre tract described in a deed to Yang Properties, LLC, of record in Record Number 201310240, said point being 40.00 feet right of U.S. Route 6 centerline of right-of-way station 153+11.52;

Thence **South 09 degrees 56 minutes 26 seconds West**, along the east line of said 0.248 acre tract and along the west line of said Yang Properties tract, a distance of **10.02 feet** to a point, said point being 50.00 feet right of U.S. Route 6 centerline of right-of-way station 153+12.09;

Thence **North 77 degrees 16 minutes 32 seconds West**, through said 0.248 acre tract, a distance of **80.11 feet** to a point on the west line of said 0.248 acre tract, said point being 49.80 feet right of U.S. Route 6 centerline of right-of-way station 152+30.92;

Thence **North 09 degrees 56 minutes 26 seconds East**, along the west line of said 0.248 acre tract, a distance of **9.81 feet** to a point on the existing south right-of-way line for said U.S. Route 6, being on the north line of said 0.248 acre tract, said point being 40.00 feet right of U.S. Route 6 centerline of right-of-way station 152+30.57;



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Thence along the arc of a non-tangent curve to the right, along the existing south right-of-way line for said U.S. Route 6 and along the north line of said 0.248 acre tract, said curve having a radius of **3,779.77 feet**, a central angle of **01 degrees 12 minutes 51 seconds**, and an arc length of **80.10 feet** to the **POINT OF BEGINNING** for this description, said curve being subtended by a long chord having a bearing of **South 77 degrees 25 minutes 32 seconds East** and a length of **80.10 feet**;

The above described temporary easement contains a total area of **0.0184 acres**, all of which is located within Erie County Auditor's parcel number 57-04107.000.

The bearings described herein are based on Grid North, referenced to the Ohio State Plane Coordinate System (North Zone) and the North American Datum of 1983 (2011 Adjustment), as established utilizing a GPS survey and an NGS OPUS solution.

The above described temporary easement was prepared under the direct supervision of Brian P. Bingham, Registered Professional Surveyor No. 8438 on November 21, 2022, is based on an actual survey performed by American Structurepoint, Inc., and is true and correct to the best of my knowledge and belief.

American Structurepoint, Inc.



Brian P. Bingham, PS

Registered Professional Surveyor No. 8438



10/26/2023  
Date

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE APPROPRIATING PROPERTY INTEREST DESCRIBED AS PARCEL 53-WD & 53-T AND NOW OWNED BY YANG PROPERTIES, LLC, FOR THE PURPOSE OF MAKING OR REPAIRING ROADS WHICH ARE OPEN TO THE PUBLIC WITHOUT CHARGE; AUTHORIZING THE APPROPRIATION OF FUNDS FOR DEPOSIT WITH THE CLERK OF COURTS; AUTHORIZING THE CITY LAW DIRECTOR AND/OR HIS DESIGNEE TO FILE A COMPLAINT FOR APPROPRIATION IN THE COURT OF COMMON PLEAS, ERIE COUNTY, OHIO; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.**

**WHEREAS**, the City, in cooperation with the Ohio Department of Transportation (ODOT), is undertaking the widening and changing the grade of Cleveland Road in the City described as ERI-6-9.07, PID 114056, Cleveland Road Safety Improvement Project (the Project), and it is necessary for the City, on behalf of ODOT, to acquire certain property necessary to provide right-of-way access for the project; and

**WHEREAS**, the proposed Cleveland Road Safety Improvement Project involves improvements to Cleveland Road (S.R. 6), primarily between Sycamore Line and Remington Avenue, including signal improvements, sidewalks, extending turn lanes and includes construction, environmental, surveying, geotechnical, acquisition, and inspection as well; and

**WHEREAS**, in connection with the Project, it is necessary for the City to acquire the property described as Parcel 53-WD and 53-T, (Parcel No. 57-01477.000 located at 1934 Cleveland Road) and further described on Exhibits “A-1” and “A-2”, attached hereto (the “Property”); and

**WHEREAS**, the City delivered a Notice of Intent to Acquire and Good Faith Offer dated August 9, 2023, a copy of which is on file with the Director of Public Works (the “Notice and Offer”), declaring the City’s intent to acquire the Property to the owner of such Property (the “Owner”); and

**WHEREAS**, the Notice and Offer satisfies the City’s requirements pursuant to Sections 163.04 and 163.041 of the Ohio Revised Code to provide written notice of the City’s intent to acquire the Property and to provide the Owner with a written good faith offer to purchase the Property at an appraised fair market value at least 30 days prior to filing a complaint for appropriation; and

**WHEREAS**, following the delivery of the Notice and Offer, the City and the Owner were unable to agree on the terms of a conveyance of the Property, as required by Ohio Revised Code, Section 163.04; and

**WHEREAS**, the Project is necessary for (a) making or repairing roads which shall be open to the public in accordance with Section 163.06 of the Ohio Revised Code and (b) the opening, widening, straightening, changing the grade of and extension of Cleveland Road in accordance with Section 719.01(A) of the Ohio Revised Code; and

**WHEREAS**, this City Commission has determined to authorize the City to proceed with the appropriation of the Property pursuant to Chapter 163 of the

Ohio Revised Code and Section 719.05 of the Ohio Revised Code; and

**WHEREAS**, pursuant to Section 163.06 of the Ohio Revised Code, the City may deposit with the court at the time of filing the complaint to appropriate the value of the property appropriated together with the damages, if any, to the residue, as determined by the City, and stated in the Notice and Offer and thereupon take possession of and enter upon the Property appropriated; and

**WHEREAS**, the amount to be deposited with the Court is \$38,180.00 and will initially be paid by the City and then reimbursed through the Ohio Department of Transportation (ODOT) with Highway Safety Improvement Program (HSIP) funds in the amount of \$36,271.00 (95%) and the City's portion in the amount of \$1,909.00 (5%) will be paid with Major Infrastructure Street Funds; and

**WHEREAS**, this Ordinance should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter to allow the appropriate documents to be filed with the Court and provide the necessary documentation to ODOT in order to move forward with bidding the project; and

**WHEREAS**, in that it is deemed necessary in order to provide for the immediate preservation of the public peace, property, health, and safety of the City of Sandusky, Ohio, and its citizens, and to provide for the efficient daily operation of the Municipal Departments, including the Department of Public Works, of the City of Sandusky, Ohio, the City Commission of the City of Sandusky, Ohio finds that an emergency exists regarding the aforesaid, and that it is advisable that this **Ordinance** be declared an emergency measure which will take immediate effect in accordance with Section 14 of the City Charter upon its adoption; and NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF SANDUSKY, OHIO, THAT:

Section 1. This City finds that the City and the Owner of the Property have been unable to agree on the terms of a conveyance of the Property necessary for the Cleveland Road Safety Improvement Project.

Section 2. This City Commission determines it is necessary to appropriate the Property for the purposes of (a) making or repairing roads which shall be open to the public in accordance with Section 163.06 of the Ohio Revised Code and (b) the opening, widening, straightening, changing the grade of and extension of Cleveland Road in accordance with Section 719.01(A) of the Ohio Revised Code and hereby directs the appropriation of the Property to proceed in accordance with Chapters 163 and 719 of the Ohio Revised Code.

Section 3. The City Law Director and/or his designee is hereby directed to file a complaint for appropriation in the Erie County Court of Common Pleas in accordance with the procedures set forth in Chapters 163 and 719 of the Ohio



Revised Code.

Section 4. The City Finance Director is authorized to deposit the value of the Property, as determined in the Notice and Offer, in the amount of Thirty-Eight Thousand, One Hundred Eighty and 00/100 Dollars (\$38,180.00) with the Court at the time the appropriation complaint is filed to permit the City to immediately obtain possession the Property in furtherance of the Project.

Section 5. If any section, phrase, sentence, or portion of this Ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Section 6. This City Commission finds and determines that all formal actions of this City Commission concerning and relating to the passage of this Ordinance were taken in an open meeting of this City Commission and that all deliberations of this City Commission and of any of its committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

Section 7. That for reasons set forth in the preamble hereto, this Ordinance is hereby declared to be an emergency measure which shall take immediate effect in accordance with Section 14 of the City Charter upon its passage, and its due authentication by the President, and the Clerk of the City Commission of the City of Sandusky, Ohio.

\_\_\_\_\_  
RICHARD R. BRADY  
PRESIDENT OF THE CITY COMMISSION

ATTEST: \_\_\_\_\_  
CATHLEEN A. MYERS  
CLERK OF THE CITY COMMISSION

Passed: March 25, 2024

**Exhibit "A-1"**

LPA RX 851 WD

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Ver. Date 11/21/2022

PID 114056

**PARCEL 53-WD  
ERI-06-09.07**

**ALL RIGHT, TITLE AND INTEREST IN FEE SIMPLE  
IN THE FOLLOWING DESCRIBED PROPERTY  
WITHOUT LIMITATION OF EXISTING ACCESS RIGHTS  
IN THE NAME AND FOR THE USE OF THE  
"CITY OF SANDUSKY, OHIO", ERIE COUNTY, OHIO**

Grantor/Owner, for himself and his heirs, executors, administrators, successors and assigns, reserves all existing rights of ingress and egress to and from any residual area (as used herein, the expression "Grantor/Owner" includes the plural, and words in the masculine include the feminine or neuter).

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**[Surveyor's description of the premises follows]**

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Situated in the State of Ohio, County of Erie, City of Sandusky, being located in Outlot 26 of Darling's Survey of Outlots East of Sycamore Line as depicted in Plat Book 1, Page 59, and being part of that **0.612 acre tract** described in a deed to **Yang Properties, LLC**, of record in **Record Number 201310240**, all records referenced herein are on file at the Office of the Recorder for Erie County, Ohio, being a parcel on the right side of the centerline of right-of-way for U.S. Route 6 (AKA Cleveland Avenue; R/W width varies), as delineated on the centerline plat for ERI-06-09.07, said parcel being more particularly bounded and described as follows:

Commencing for reference at the intersection of the centerline of right-of-way for U.S. Route 6 and the centerline of right-of-way for Cedar Point Drive, (reference a monument box found bearing South 16 degrees 30 minutes 20 seconds West at a distance of 1.24 feet), said point being at U.S. Route 6 centerline of right-of-way station 155+21.83;

Thence along the arc of a non-tangent curve to the left, along the existing centerline of right-of-way for U.S. Route 6, said curve having a radius of **3,819.77 feet**, a central angle of **01 degree 19 minutes 51 seconds**, and an arc length of **88.72 feet** to a point, said curve being subtended by a long chord having a bearing of **North 74 degrees 19 minutes 45 seconds West** and a length of **88.72 feet**, said point being at U.S. Route 6 centerline of right-of-way station 154+33.11;

Thence **South 15 degrees 00 minutes 20 seconds West**, a distance of **40.00 feet** to a MAG nail set on the existing south right-of-way line for U.S. Route 6, being on the south line of that right-of-way easement described as Parcel 20 appropriated by County of Erie, of record in Probate Case Number 21395, said MAG nail being the northeast corner of said 0.612 acre tract, being the northwest corner of that 0.255 acre tract described in a deed to Sunny Patel and Hinesh Patel, of record in Record Number 202114668, said MAG nail being 40.00 feet right of U.S. Route 6



*Michael T. Farrell*

Engineer/Surveyor: Erie County Engineer's

Date: 9-11-2023

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centerline of right-of-way station 154+33.11, and said MAG nail being the **TRUE POINT OF BEGINNING** for this description;

Thence **South 09 degrees 56 minutes 26 seconds West**, along the east line of said 0.612 acre tract and along the west line of said Patel tract, a distance of **13.30 feet** to a MAG nail set, said MAG nail being 53.25 feet right of U.S. Route 6 centerline of right-of-way station 154+34.30;

Thence **North 49 degrees 28 minutes 05 seconds West**, through said 0.612 acre tract, a distance of **20.35 feet** to a MAG nail set, said MAG nail being 44.44 feet right of U.S. Route 6 centerline of right-of-way station 154+15.72;

Thence **North 62 degrees 34 minutes 39 seconds West**, continuing through said 0.612 acre tract, a distance of **20.00 feet** to a MAG nail set on the existing south right-of-way line for said U.S. Route 6, being on the south line of said Parcel 20, and being on the north line of said 0.612 acre tract, said MAG nail being 40.00 feet right of U.S. Route 6 centerline of right-of-way station 153+96.00;

Thence along the arc of a non-tangent curve to the right, along the existing south right-of-way line for said U.S. Route 6, along the south line of said Parcel 20 and along the north line of said 0.612 acre tract, said curve having a radius of **3,779.77 feet**, a central angle of **00 degrees 33 minutes 24 seconds**, and an arc length of **36.72 feet** to the **TRUE POINT OF BEGINNING** for this description, said curve being subtended by a long chord having a bearing of **South 75 degrees 16 minutes 22 seconds East** and a length of **36.72 feet**.

The above described right-of-way parcel contains a total area of **0.0045 acres** (0.000 acres located within present road occupied), all of which is located within Erie County Auditor's parcel number 57-01477.000.

The bearings described herein are based on Grid North, referenced to the Ohio State Plane Coordinate System (North Zone) and the North American Datum of 1983 (2011 Adjustment), as established utilizing a GPS survey and an NGS OPUS solution.

Iron pins referenced as set are 5/8 inch diameter by 30 inch long rebar with "ASI PS 8438" cap.

The above described right-of-way parcel was prepared under the direct supervision of Brian P. Bingham, Registered Professional Surveyor No. 8438 on November 21, 2022, is based on an actual survey performed by American Structurepoint, Inc., and is true and correct to the best of my knowledge and belief.

American Structurepoint, Inc.

*Brian P. Bingham*

Brian P. Bingham, PS  
Registered Professional Surveyor No. 8438



8/30/2023

Date

**Exhibit "A-2"**

LPA RX 887 T

Ver. Date 11/21/2022

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PID 114056

**PARCEL 53-T  
ERI-06-09.07**

**TEMPORARY EASEMENT FOR THE PURPOSE OF  
PERFORMING THE WORK NECESSARY TO  
COMPLETE GRADING  
FOR 12 MONTHS FROM DATE OF ENTRY BY THE  
"THE CITY OF SANDUSKY, OHIO", ERIE COUNTY, OHIO**

[Surveyor's description of the premises follows]

Situated in the State of Ohio, County of Erie, City of Sandusky, being located in Outlot 26 of Darling's Survey of Outlots East of Sycamore Line as depicted in Plat Book 1, Page 59, and being part of that **0.612 acre tract** described in a deed to **Yang Properties, LLC**, of record in **Record Number 201310240**, all records referenced herein are on file at the Office of the Recorder for Erie County, Ohio, being a parcel on the right side of the centerline of right-of-way for U.S. Route 6 (AKA Cleveland Avenue; R/W width varies), as delineated on the centerline plat for ERI-06-09.07, said parcel being more particularly bounded and described as follows:

**BEGINNING** at a point on the existing south right-of-way line for U.S. Route 6, said point being on the northwest corner of said 0.612 acre tract, being on the northeast corner of that 0.248 acre tract described in deeds to Vtanium, Inc., of record in Record Numbers 202110055 and 202200562, said point being 40.00 feet right of U.S. Route 6 centerline of right-of-way station 153+11.52;

Thence along the arc of a non-tangent curve to the right, along the existing south right-of-way line for said U.S. Route 6 and along the north line of said 0.612 acre tract, said curve having a radius of **3,779.77 feet**, a central angle of **01 degree 16 minutes 02 seconds**, and an arc length of **83.60 feet** to a MAG nail set, said curve being subtended by a long chord having a bearing of **South 76 degrees 11 minutes 05 seconds East** and a length of **83.60 feet**, said MAG nail being 40.00 feet right of U.S. Route 6 centerline of right-of-way station 153+96.00;

Thence **South 62 degrees 34 minutes 39 seconds East**, through said 0.612 acre tract and along a proposed right-of-way parcel, a distance of **20.00 feet** to a MAG nail set, said MAG nail being 44.44 feet right of U.S. Route 6 centerline of right-of-way station 154+15.72;



Michael T. Farrell  
Engineer/Surveyor: Erie County Engineer's  
Date: 9-11-2023

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Thence **South 49 degrees 28 minutes 05 seconds East**, continuing through said 0.612 acre tract and continuing along a proposed right-of-way parcel, a distance of **20.35 feet** to a MAG nail set on the east line of said 0.612 acre tract, being on the west line of that 0.255 acre tract described in a deed to Sunny Patel and Hinesh Patel, of record in Record Number 202114668, said MAG nail being 53.25 feet right of U.S. Route 6 centerline of right-of-way station 154+34.30;

Thence **South 09 degrees 56 minutes 26 seconds West**, along the east line of said 0.612 acre tract and along the west line of said Patel tract, a distance of **6.19 feet** to a point, said point being 59.41 feet right of U.S. Route 6 centerline of right-of-way station 154+34.86;

Thence **North 43 degrees 59 minutes 13 seconds West**, through said 0.612 acre tract, a distance of **18.22 feet** to a point, said point being 50.00 feet right of U.S. Route 6 centerline of right-of-way station 154+19.03;

Thence **North 76 degrees 00 minutes 28 seconds West**, continuing through said 0.612 acre tract, a distance of **105.54 feet** to a point on the west line of said 0.612 acre tract, being on the east line of said Vtanium, Inc. tract, said point being 50.00 feet right of U.S. Route 6 centerline of right-of-way station 153+12.09;

Thence **North 09 degrees 56 minutes 26 seconds East**, along the west line of said 0.612 acre tract and along the east line of said Vtanium, Inc. tract, a distance of **10.02 feet** to the **TRUE POINT OF BEGINNING** for this description.

The above described temporary easement contains a total area of **0.0248 acres**, all of which is located within Erie County Auditor's parcel number 57-01477.000.

The bearings described herein are based on Grid North, referenced to the Ohio State Plane Coordinate System (North Zone) and the North American Datum of 1983 (2011 Adjustment), as established utilizing a GPS survey and an NGS OPUS solution.

The above described temporary easement was prepared under the direct supervision of Brian P. Bingham, Registered Professional Surveyor No. 8438 on November 21, 2022, is based on an actual survey performed by American Structurepoint, Inc., and is true and correct to the best of my knowledge and belief.

American Structurepoint, Inc.  
Brian P. Bingham  
Brian P. Bingham, PS  
Registered Professional Surveyor No. 8438



8/30/2023  
Date



ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE APPROPRIATING PROPERTY INTEREST DESCRIBED AS PARCEL 55-WD & 55-T AND NOW OWNED BY ROBERT G. SCHOEN AND HELEN M. SCHOEN, TRUSTEES OF THE ROBERT G. SCHOEN TRUST FOR THE PURPOSE OF MAKING OR REPAIRING ROADS WHICH ARE OPEN TO THE PUBLIC WITHOUT CHARGE; AUTHORIZING THE APPROPRIATION OF FUNDS FOR DEPOSIT WITH THE CLERK OF COURTS; AUTHORIZING THE CITY LAW DIRECTOR AND/OR HIS DESIGNEE TO FILE A COMPLAINT FOR APPROPRIATION IN THE COURT OF COMMON PLEAS, ERIE COUNTY, OHIO; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.**

**WHEREAS**, the City, in cooperation with the Ohio Department of Transportation (ODOT), is undertaking the widening and changing the grade of Cleveland Road in the City described as ERI-6-9.07, PID 114056, Cleveland Road Safety Improvement Project (the Project), and it is necessary for the City, on behalf of ODOT, to acquire certain property necessary to provide right-of-way access for the project; and

**WHEREAS**, the proposed Cleveland Road Safety Improvement Project involves improvements to Cleveland Road (S.R. 6), primarily between Sycamore Line and Remington Avenue, including signal improvements, sidewalks, extending turn lanes and includes construction, environmental, surveying, geotechnical, acquisition, and inspection as well; and

**WHEREAS**, in connection with the Project, it is necessary for the City to acquire the property described as Parcel 55-WD and 55-T, (Parcel No. 57-04915.000 located on Cleveland Road) and further described on Exhibits "A-1" and "A-2", attached hereto (the "Property"); and

**WHEREAS**, the City delivered a Notice of Intent to Acquire and Good Faith Offer dated May 26, 2023, a copy of which is on file with the Director of Public Works (the "Notice and Offer"), declaring the City's intent to acquire the Property to the owner of such Property (the "Owner"); and

**WHEREAS**, the Notice and Offer satisfies the City's requirements pursuant to Sections 163.04 and 163.041 of the Ohio Revised Code to provide written notice of the City's intent to acquire the Property and to provide the Owner with a written good faith offer to purchase the Property at an appraised fair market value at least 30 days prior to filing a complaint for appropriation; and

**WHEREAS**, following the delivery of the Notice and Offer, the City and the Owner were unable to agree on the terms of a conveyance of the Property, as required by Ohio Revised Code, Section 163.04; and

**WHEREAS**, the Project is necessary for (a) making or repairing roads which shall be open to the public in accordance with Section 163.06 of the Ohio Revised Code and (b) the opening, widening, straightening, changing the grade of and extension of Cleveland Road in accordance with Section 719.01(A) of the Ohio Revised Code; and

**WHEREAS**, this City Commission has determined to authorize the City to proceed with the appropriation of the Property pursuant to Chapter 163 of the Ohio Revised Code and Section 719.05 of the Ohio Revised Code; and

**WHEREAS**, pursuant to Section 163.06 of the Ohio Revised Code, the City may deposit with the court at the time of filing the complaint to appropriate the value of the property appropriated together with the damages, if any, to the residue, as determined by the City, and stated in the Notice and Offer and thereupon take possession of and enter upon the Property appropriated; and

**WHEREAS**, the amount to be deposited with the Court is \$2,020.00 and will initially be paid by the City and then reimbursed through the Ohio Department of Transportation (ODOT) with Highway Safety Improvement Program (HSIP) funds in the amount of \$1,919.00 (95%) and the City's portion in the amount of \$101.00 (5%) will be paid with Major Infrastructure Street Funds; and

**WHEREAS**, this Ordinance should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter to allow the appropriate documents to be filed with the Court and provide the necessary documentation to ODOT in order to move forward with bidding the project; and

**WHEREAS**, in that it is deemed necessary in order to provide for the immediate preservation of the public peace, property, health, and safety of the City of Sandusky, Ohio, and its citizens, and to provide for the efficient daily operation of the Municipal Departments, including the Department of Public Works, of the City of Sandusky, Ohio, the City Commission of the City of Sandusky, Ohio finds that an emergency exists regarding the aforesaid, and that it is advisable that this **Ordinance** be declared an emergency measure which will take immediate effect in accordance with Section 14 of the City Charter upon its adoption; and NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF SANDUSKY, OHIO, THAT:

Section 1. This City finds that the City and the Owner of the Property have been unable to agree on the terms of a conveyance of the Property necessary for the Cleveland Road Safety Improvement Project.

Section 2. This City Commission determines it is necessary to appropriate the Property for the purposes of (a) making or repairing roads which shall be open to the public in accordance with Section 163.06 of the Ohio Revised Code and (b) the opening, widening, straightening, changing the grade of and extension of Cleveland Road in accordance with Section 719.01(A) of the Ohio Revised Code and hereby directs the appropriation of the Property to proceed in accordance with Chapters 163 and 719 of the Ohio Revised Code.

Section 3. The City Law Director and/or his designee is hereby directed to file a complaint for appropriation in the Erie County Court of Common Pleas in

accordance with the procedures set forth in Chapters 163 and 719 of the Ohio Revised Code.

Section 4. The City Finance Director is authorized to deposit the value of the Property, as determined in the Notice and Offer, in the amount of Two Thousand Twenty and 00/100 Dollars (\$2,020.00) with the Court at the time the appropriation complaint is filed to permit the City to immediately obtain possession the Property in furtherance of the Project.

Section 5. If any section, phrase, sentence, or portion of this Ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Section 6. This City Commission finds and determines that all formal actions of this City Commission concerning and relating to the passage of this Ordinance were taken in an open meeting of this City Commission and that all deliberations of this City Commission and of any of its committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

Section 7. That for reasons set forth in the preamble hereto, this Ordinance is hereby declared to be an emergency measure which shall take immediate effect in accordance with Section 14 of the City Charter upon its passage, and its due authentication by the President, and the Clerk of the City Commission of the City of Sandusky, Ohio.

\_\_\_\_\_  
RICHARD R. BRADY  
PRESIDENT OF THE CITY COMMISSION

ATTEST: \_\_\_\_\_  
CATHLEEN A. MYERS  
CLERK OF THE CITY COMMISSION

Passed: March 25, 2024

**Exhibit "A-1"**

LPA RX 851 WD

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Rev. 06/09

Ver. Date 11/21/2022

PID 114056

**PARCEL 55-WD  
ERI-06-09.07**

**ALL RIGHT, TITLE AND INTEREST IN FEE SIMPLE  
IN THE FOLLOWING DESCRIBED PROPERTY  
WITHOUT LIMITATION OF EXISTING ACCESS RIGHTS  
IN THE NAME AND FOR THE USE OF THE  
"CITY OF SANDUSKY, OHIO", ERIE COUNTY, OHIO**

Grantor/Owner, for himself and his heirs, executors, administrators, successors and assigns, reserves all existing rights of ingress and egress to and from any residual area (as used herein, the expression "Grantor/Owner" includes the plural, and words in the masculine include the feminine or neuter).

---

**[Surveyor's description of the premises follows]**

---

Situated in the State of Ohio, County of Erie, City of Sandusky, being located in Outlot 26 of Darling's Survey of Outlots East of Sycamore Line as depicted in Plat Book 1, Page 59, and being part of that **35.6128 acre tract** described in a deed to **Robert G. Schoen**, of record in **Record Number 200013679**, all records referenced herein are on file at the Office of the Recorder for Erie County, Ohio, being a parcel on the right side of the centerline of right-of-way for U.S. Route 6 (AKA Cleveland Avenue; R/W width varies), as delineated on the centerline plat for ERI-06-09.07, said parcel being more particularly bounded and described as follows:

Commencing for reference at the intersection of the centerline of right-of-way for U.S. Route 6 and the centerline of right-of-way for Cedar Point Drive, (reference a monument box found bearing South 16 degrees 30 minutes 20 seconds West at a distance of 1.24 feet), said point being at U.S. Route 6 centerline of right-of-way station 155+21.83;

Thence along the arc of a non-tangent curve to the right, along the centerline of right-of-way for U.S. Route 6, said curve having a radius of **3,819.77 feet**, a central angle of **00 degrees 21 minutes 21 seconds**, and an arc length of **23.72 feet** to a point, said curve being subtended by a long chord having a bearing of **South 73 degrees 29 minutes 09 seconds East** and a length of **23.72 feet**, said point being at U.S. Route 6 centerline of right-of-way station 155+45.55;

Thence **South 16 degrees 41 minutes 31 seconds West**, a distance of **40.00 feet** to an iron pin set on the existing south right-of-way line for U.S. Route 6, being on the south line of that right-of-way easement described as Parcel 20 appropriated by County of Erie, of record in Probate Case Number 21395, said iron pin being at the northwest corner of said 35.6128 acre tract, being the northeast corner of that 0.255 acre tract described in a deed to Sunny Patel and Hinesh Patel, of



## **EXHIBIT A**

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record in Record Number 202114668, said iron pin being the **TRUE POINT OF BEGINNING** for this description, and said iron pin being 40.00 feet right of U.S. Route 6 centerline of right-of-way station 155+45.55;

Thence along the arc of a non-tangent curve to the right, along the existing south right-of-way line for said U.S. Route 6, along the south line of said Parcel 20 and along the north line of said 35.6128 acre tract, said curve having a radius of **3,779.77 feet**, a central angle of **01 degree 05 minutes 05 seconds**, and an arc length of **71.56 feet** to an iron pin set, said curve being subtended by a long chord having a bearing of **South 72 degrees 45 minutes 56 seconds East** and a length of **71.56 feet**, said iron pin being 40.00 feet right of U.S. Route 6 centerline of right-of-way station 156+17.87;

Thence through said 35.6128 acre tract along the following four (4) described courses:

1. **South 87 degrees 36 minutes 48 seconds West**, a distance of **17.15 feet** to an iron pin set, said iron pin being 45.88 feet right of U.S. Route 6 centerline of right-of-way station 156+01.58;
2. **South 83 degrees 09 minutes 42 seconds West**, a distance of **27.59 feet** to an iron pin set, said iron pin being 57.18 feet right of U.S. Route 6 centerline of right-of-way station 155+76.07;
3. **South 78 degrees 47 minutes 58 seconds West**, a distance of **41.11 feet** to an iron pin set, said iron pin being 76.52 feet right of U.S. Route 6 centerline of right-of-way station 155+39.15;
4. **North 86 degrees 07 minutes 22 seconds West**, a distance of **9.73 feet** to an iron pin set on the west line of said 35.6128 acre tract, being on the east line of said Patel tract, said iron pin being 78.65 feet right of U.S. Route 6 centerline of right-of-way station 155+29.46;

Thence **North 38 degrees 51 minutes 26 seconds East**, along the west line of said 35.6128 acre tract and along the east line of said Patel tract, a distance of **41.77 feet** to the **TRUE POINT OF BEGINNING** for this description.

The above described right-of-way parcel contains a total area of **0.0314 acres** (0.000 acres located within present road occupied), all of which is located within Erie County Auditor's parcel number 57-04915.000.

**EXHIBIT A**

LPA RX 851 WD

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The bearings described herein are based on Grid North, referenced to the Ohio State Plane Coordinate System (North Zone) and the North American Datum of 1983 (2011 Adjustment), as established utilizing a GPS survey and an NGS OPUS solution.

Iron pins referenced as set are 5/8 inch diameter by 30 inch long rebar with caps inscribed "ASI PS 8438".

The above described right-of-way parcel was prepared under the direct supervision of Brian P. Bingham, Registered Professional Surveyor No. 8438 on November 21, 2022, is based on an actual survey performed by American Structurepoint, Inc., and is true and correct to the best of my knowledge and belief.

American Structurepoint, Inc.

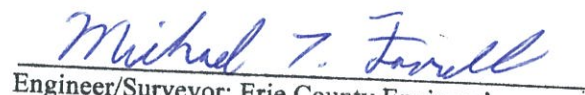


Brian P. Bingham, PS  
Registered Professional Surveyor No. 8438



8/30/2023  
Date

APPROVED as per Erie County Requirements  
And Sections 4733-37 thru 4733-37-07 of the Ohio  
Administrative Code only. No Field Verifications  
for Accuracy made.

  
Engineer/Surveyor: Erie County Engineer's  
Date: 9-11-2023



**Exhibit "A-2"**

LPA RX 887 T

Ver. Date 11/21/2022

Page 1 of 2

Rev. 07/09

PID 114056

**PARCEL 55-T  
ERI-06-09.07**

**TEMPORARY EASEMENT FOR THE PURPOSE OF  
PERFORMING THE WORK NECESSARY TO  
COMPLETE GRADING  
FOR 12 MONTHS FROM DATE OF ENTRY BY THE  
"THE CITY OF SANDUSKY, OHIO", ERIE COUNTY, OHIO**

[Surveyor's description of the premises follows]

Situated in the State of Ohio, County of Erie, City of Sandusky, being located in Outlot 26 of Darling's Survey of Outlots East of Sycamore Line as depicted in Plat Book 1, Page 59, and being part of that **35.6128 acre tract** described in a deed to **Robert G. Schoen**, of record in **Record Number 200013679**, all records referenced herein are on file at the Office of the Recorder for Erie County, Ohio, being a parcel on the right side of the centerline of right-of-way for U.S. Route 6 (AKA Cleveland Avenue; R/W width varies), as delineated on the centerline plat for ERI-06-09.07, said parcel being more particularly bounded and described as follows:

Commencing for reference at an iron pin set on the existing south right-of-way line for U.S. Route 6, being on the south line of that right-of-way easement described as Parcel 20 appropriated by County of Erie, of record in Probate Case Number 21395, said iron pin being at the northwest corner of said 35.6128 acre tract, being at the northeast corner of that 0.255 acre tract described in a deed to Sunny Patel and Hinesh Patel, of record in Record Number 202114668, said iron pin being 40.00 feet right of U.S. Route 6 centerline of right-of-way station 155+45.55;

Thence **South 38 degrees 51 minutes 26 seconds West**, along the west line of said 35.6128 acre tract and along the east line of said Patel tract, a distance of **41.77 feet** to an iron pin set at the **TRUE POINT OF BEGINNING** for this description, said iron pin being 78.65 feet right of U.S. Route 6 centerline of right-of-way station 155+29.46;

Thence through said 35.6128 acre tract and along a proposed right-of-way parcel along the following four (4) described courses:

1. **South 86 degrees 07 minutes 22 seconds East**, a distance of **9.73 feet** to an iron pin set, said iron pin being 76.52 feet right of U.S. Route 6 centerline of right-of-way station 155+39.15;
2. **North 78 degrees 47 minutes 58 seconds East**, a distance of **41.11 feet** to an iron pin set, said iron pin set being 57.18 feet right of U.S. Route 6 centerline of right-of-way station 155+76.07;

Michael T. Farrell  
Engineer/Surveyor: Erie County Engineer's

Date: 9-11-2023

LPA RX 887 T

**EXHIBIT A**

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- 3. **North 83 degrees 09 minutes 42 seconds East**, a distance of **27.59 feet** to an iron pin set, said iron pin being 45.88 feet right of U.S. Route 6 centerline of right-of-way station 156+01.58;
- 4. **North 87 degrees 36 minutes 48 seconds East**, a distance of **17.15 feet** to an iron pin set on the existing south right-of-way line for said U.S. Route 6, being on the south line of said Parcel 20, being on the north line of said 35.6128 acre tract, said iron pin being 40.00 feet right of U.S. Route 6 centerline of right-of-way station 156+17.87;

Thence along the arc of a non-tangent curve to the right, along the existing south right-of-way line for said U.S. Route 6, along the south line of said Parcel 20 and along the north line of said 35.6128 acre tract, said curve having a radius of **3,779.77 feet**, a central angle of **00 degrees 37 minutes 45 seconds**, and an arc length of **41.50 feet** to a point, said curve being subtended by a long chord having a bearing of **South 71 degrees 54 minutes 31 seconds East** and a length of **41.50 feet**, said point being 40.00 feet right of U.S. Route 6 centerline of right-of-way station 156+59.81;

Thence **South 82 degrees 45 minutes 10 seconds West**, through said 35.6128 acre tract, a distance of **151.92 feet** to a point on the west line of said 35.6128 acre tract, being on the east line of said Patel tract, said point being 103.25 feet right of U.S. Route 6 centerline of right-of-way station 155+19.03;

Thence **North 38 degrees 51 minutes 26 seconds East**, along the west line of said 35.6128 acre tract and along the east line of said Patel tract, a distance of **26.62 feet** to the **TRUE POINT OF BEGINNING** for this description.

The above described temporary easement contains a total area of **0.0519 acres**, all of which is located within Erie County Auditor's parcel number 57-04915.000.

The bearings described herein are based on Grid North, referenced to the Ohio State Plane Coordinate System (North Zone) and the North American Datum of 1983 (2011 Adjustment), as established utilizing a GPS survey and an NGS OPUS solution.

The above described temporary easement was prepared under the direct supervision of Brian P. Bingham, Registered Professional Surveyor No. 8438 on November 21, 2022, is based on an actual survey performed by American Structurepoint, Inc., and is true and correct to the best of my knowledge and belief.

American Structurepoint, Inc.

Brian P. Bingham  
Brian P. Bingham, PS  
Registered Professional Surveyor No. 8438



8/30/2023  
Date



ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE APPROPRIATING PROPERTY INTEREST DESCRIBED AS PARCEL 105-WD AND NOW OWNED BY LLLL INVESTMENTS LTD FOR THE PURPOSE OF MAKING OR REPAIRING ROADS WHICH ARE OPEN TO THE PUBLIC WITHOUT CHARGE; AUTHORIZING THE APPROPRIATION OF FUNDS FOR DEPOSIT WITH THE CLERK OF COURTS; AUTHORIZING THE CITY LAW DIRECTOR AND/OR HIS DESIGNEE TO FILE A COMPLAINT FOR APPROPRIATION IN THE COURT OF COMMON PLEAS, ERIE COUNTY, OHIO; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.**

**WHEREAS**, the City, in cooperation with the Ohio Department of Transportation (ODOT), is undertaking the widening and changing the grade of Cleveland Road in the City described as ERI-6-9.07, PID 114056, Cleveland Road Safety Improvement Project (the Project), and it is necessary for the City, on behalf of ODOT, to acquire certain property necessary to provide right-of-way access for the project; and

**WHEREAS**, the proposed Cleveland Road Safety Improvement Project involves improvements to Cleveland Road (S.R. 6), primarily between Sycamore Line and Remington Avenue, including signal improvements, sidewalks, extending turn lanes and includes construction, environmental, surveying, geotechnical, acquisition, and inspection as well; and

**WHEREAS**, in connection with the Project, it is necessary for the City to acquire the property described as Parcel 105-WD, (Parcel No. 57-00871.000 at 2106 Cleveland Road) and further described on Exhibit "A-1", attached hereto (the "Property"); and

**WHEREAS**, the City delivered a Notice of Intent to Acquire and Good Faith Offer dated May 26, 2023, a copy of which is on file with the Director of Public Works (the "Notice and Offer"), declaring the City's intent to acquire the Property to the owner of such Property (the "Owner"); and

**WHEREAS**, the Notice and Offer satisfies the City's requirements pursuant to Sections 163.04 and 163.041 of the Ohio Revised Code to provide written notice of the City's intent to acquire the Property and to provide the Owner with a written good faith offer to purchase the Property at an appraised fair market value at least 30 days prior to filing a complaint for appropriation; and

**WHEREAS**, following the delivery of the Notice and Offer, the City and the Owner were unable to agree on the terms of a conveyance of the Property, as required by Ohio Revised Code, Section 163.04; and

**WHEREAS**, the Project is necessary for (a) making or repairing roads which shall be open to the public in accordance with Section 163.06 of the Ohio Revised Code and (b) the opening, widening, straightening, changing the grade of and extension of Cleveland Road in accordance with Section 719.01(A) of the Ohio Revised Code; and

**WHEREAS**, this City Commission has determined to authorize the City to proceed with the appropriation of the Property pursuant to Chapter 163 of the

Ohio Revised Code and Section 719.05 of the Ohio Revised Code; and

**WHEREAS**, pursuant to Section 163.06 of the Ohio Revised Code, the City may deposit with the court at the time of filing the complaint to appropriate the value of the property appropriated together with the damages, if any, to the residue, as determined by the City, and stated in the Notice and Offer and thereupon take possession of and enter upon the Property appropriated; and

**WHEREAS**, the amount to be deposited with the Court is \$1,946.00 and will initially be paid by the City and then reimbursed through the Ohio Department of Transportation (ODOT) with Highway Safety Improvement Program (HSIP) funds in the amount of \$1,848.70 (95%) and the City's portion in the amount of \$97.30 (5%) will be paid with Major Infrastructure Street Funds; and

**WHEREAS**, this Ordinance should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter to allow the appropriate documents to be filed with the Court and provide the necessary documentation to ODOT in order to move forward with bidding the project; and

**WHEREAS**, in that it is deemed necessary in order to provide for the immediate preservation of the public peace, property, health, and safety of the City of Sandusky, Ohio, and its citizens, and to provide for the efficient daily operation of the Municipal Departments, including the Department of Public Works, of the City of Sandusky, Ohio, the City Commission of the City of Sandusky, Ohio finds that an emergency exists regarding the aforesaid, and that it is advisable that this **Ordinance** be declared an emergency measure which will take immediate effect in accordance with Section 14 of the City Charter upon its adoption; and NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF SANDUSKY, OHIO, THAT:

Section 1. This City finds that the City and the Owner of the Property have been unable to agree on the terms of a conveyance of the Property necessary for the Cleveland Road Safety Improvement Project.

Section 2. This City Commission determines it is necessary to appropriate the Property for the purposes of (a) making or repairing roads which shall be open to the public in accordance with Section 163.06 of the Ohio Revised Code and (b) the opening, widening, straightening, changing the grade of and extension of Cleveland Road in accordance with Section 719.01(A) of the Ohio Revised Code and hereby directs the appropriation of the Property to proceed in accordance with Chapters 163 and 719 of the Ohio Revised Code.

Section 3. The City Law Director and/or his designee is hereby directed to file a complaint for appropriation in the Erie County Court of Common Pleas in accordance with the procedures set forth in Chapters 163 and 719 of the Ohio

Revised Code.

Section 4. The City Finance Director is authorized to deposit the value of the Property, as determined in the Notice and Offer, in the amount of One Thousand Nine Hundred Forty-Six and 00/100 Dollars (\$1,946.00) with the Court at the time the appropriation complaint is filed to permit the City to immediately obtain possession the Property in furtherance of the Project.

Section 5. If any section, phrase, sentence, or portion of this Ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Section 6. This City Commission finds and determines that all formal actions of this City Commission concerning and relating to the passage of this Ordinance were taken in an open meeting of this City Commission and that all deliberations of this City Commission and of any of its committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

Section 7. That for reasons set forth in the preamble hereto, this Ordinance is hereby declared to be an emergency measure which shall take immediate effect in accordance with Section 14 of the City Charter upon its passage, and its due authentication by the President, and the Clerk of the City Commission of the City of Sandusky, Ohio.

\_\_\_\_\_  
RICHARD R. BRADY  
PRESIDENT OF THE CITY COMMISSION

ATTEST: \_\_\_\_\_  
CATHLEEN A. MYERS  
CLERK OF THE CITY COMMISSION

Passed: March 25, 2024

**Exhibit "A-1"**

LPA RX 851 WD

Page 1 of 2

Rev. 06/09

Ver. Date 11/22/2022

PID 114056

**PARCEL 105-WD  
ERI-06-09.07**

**ALL RIGHT, TITLE AND INTEREST IN FEE SIMPLE  
IN THE FOLLOWING DESCRIBED PROPERTY  
WITHOUT LIMITATION OF EXISTING ACCESS RIGHTS  
IN THE NAME AND FOR THE USE OF THE  
"CITY OF SANDUSKY, OHIO", ERIE COUNTY, OHIO**

Grantor/Owner, for himself and his heirs, executors, administrators, successors and assigns, reserves all existing rights of ingress and egress to and from any residual area (as used herein, the expression "Grantor/Owner" includes the plural, and words in the masculine include the feminine or neuter).

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**[Surveyor's description of the premises follows]**

---

Situated in the State of Ohio, County of Erie, City of Sandusky, being located in Lot 1 of John E. Camps' Subdivision of Lot No. 7 West of Railroad and 19 Acres east part of Lot No. 8 of Darling's Survey of Outlots East of Sycamore Line, as recorded in Plat Book 1, Page 16, and being part of that **0.0814 acre tract** described in a deed to **LLLL Investments, Ltd**, of record in **Record Number 200101956**, all records referenced herein are on file at the Office of the Recorder for Erie County, Ohio, being a parcel on the right side of the centerline of right-of-way for U.S. Route 6 (AKA Cleveland Avenue; R/W width varies), being on the left side of the centerline of right-of-way for Remington Avenue (33' R/W width), both as delineated on the centerline plat for ERI-06-09.07, said parcel being more particularly bounded and described as follows:

Commencing for reference at an iron pin set in a monument box assembly at the intersection of the centerline of right-of-way for U.S Route 6 and the centerline of right-of-way for Remington Avenue, said iron pin being at U.S. Route 6 centerline of right-of-way station 183+03.89, and being at Remington Avenue centerline of right-of-way station 514+05.24;

Thence along a curve to the right, along the centerline of right-of-way for said U.S. Route 6, said curve having a radius of **11,459.20 feet**, a central angle of **00 degrees 07 minutes 06 seconds**, and an arc length of **23.69 feet** to a point, said point being at U.S. Route 6 centerline of right-of-way station 182+80.20, said curve being subtended by a long chord having a bearing of **North 58 degrees 53 minutes 29 seconds West** and a length of **23.69 feet**;

Thence **South 31 degrees 10 minutes 04 seconds West**, a distance of **40.00 feet** to a MAG nail set at the intersection of the existing south right-of-way line for U.S. Route 6 and the existing west right-of-way line for Remington Avenue, being at the northeast corner of said 0.0814 acre tract, and being on the south line of that 0.129 acre right-of-way easement described as Parcel 29 in a deed to County of Erie, of record in Deed Book 152, Page 370, said MAG nail being the **TRUE POINT OF**



*Michael T. Farrell*

Engineer/Surveyor: Erie County Engineer's

Date: 9-11-2023

**EXHIBIT A**

Page 2 of 2

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LPA RX 851 WD

**BEGINNING** for this description, and said MAG nail being 40.00 feet right of U.S. Route 6 centerline of right-of-way station 182+80.20 and 16.50 feet left of Remington Avenue centerline of right-of-way station 513+61.76;

Thence **South 41 degrees 00 minutes 48 seconds West**, along the existing west right-of-way line for said Remington Avenue and along the east line of said 0.0814 acre tract, a distance of **13.75 feet** to an iron pin set, said iron pin being 16.50 feet left of Remington Avenue centerline of right-of-way station 513+48.00;

Thence **North 48 degrees 59 minutes 12 seconds West**, through said 0.0814 acre tract, a distance of **8.08 feet** to an iron pin set, said iron pin being 24.58 feet left of Remington Avenue centerline of right-of-way station 513+48.00;

Thence **North 05 degrees 16 minutes 44 seconds West**, through said 0.0814 acre tract, a distance of **15.15 feet** to an iron pin set on the existing south right-of-way line for said U.S. Route 6, being on the north line of said 0.0814 acre tract, and being on the south line of said 0.129 acre right-of-way easement, said iron pin being 40.00 feet right of U.S. Route 6 centerline of right-of-way station 182+60.95;

Thence along the arc of a non-tangent curve to the left, along the existing south right-of-way line for said U.S. Route 6, along the south line of said 0.129 acre right-of-way easement and along the north line of said 0.0814 acre tract, said curve having a radius of **11,499.21 feet**, a central angle of **00 degrees 05 minutes 46 seconds**, and an arc length of **19.32 feet** to the **TRUE POINT OF BEGINNING** for this description, said curve being subtended by a long chord having a bearing of **South 58 degrees 47 minutes 02 seconds East** and a length of **19.32 feet**.

The above described right-of-way parcel contains a total area of **0.0040 acres** (0.000 acres located within present road occupied), all of which is located within Erie County Auditor's parcel number 57-00871.000.

The bearings described herein are based on Grid North, referenced to the Ohio State Plane Coordinate System (North Zone) and the North American Datum of 1983 (2011 Adjustment), as established utilizing a GPS survey and an NGS OPUS solution.

Iron pins referenced as set are 5/8 inch diameter by 30 inch long rebar with caps inscribed "ASI PS 8438".

The above described right-of-way parcel was prepared under the direct supervision of Brian P. Bingham, Registered Professional Surveyor No. 8438 on November 22, 2022, is based on an actual survey performed by American Structurepoint, Inc., and is true and correct to the best of my knowledge and belief.

American Structurepoint, Inc.

*B. P. Bingham*

Brian P. Bingham, PS  
Registered Professional Surveyor No. 8438



8/30/2023  
Date

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE APPROPRIATING PROPERTY INTEREST DESCRIBED AS PARCELS 51-WD, 51-T & 18-T AND NOW OWNED BY S & S REALTY LTD, FOR THE PURPOSE OF MAKING OR REPAIRING ROADS WHICH ARE OPEN TO THE PUBLIC WITHOUT CHARGE; AUTHORIZING THE APPROPRIATION OF FUNDS FOR DEPOSIT WITH THE CLERK OF COURTS; AUTHORIZING THE CITY LAW DIRECTOR AND/OR HIS DESIGNEE TO FILE A COMPLAINT FOR APPROPRIATION IN THE COURT OF COMMON PLEAS, ERIE COUNTY, OHIO; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.**

**WHEREAS**, the City, in cooperation with the Ohio Department of Transportation (ODOT), is undertaking the widening and changing the grade of Cleveland Road in the City described as ERI-6-9.07, PID 114056, Cleveland Road Safety Improvement Project (the Project), and it is necessary for the City, on behalf of ODOT, to acquire certain property necessary to provide right-of-way access for the project; and

**WHEREAS**, the proposed Cleveland Road Safety Improvement Project involves improvements to Cleveland Road (S.R. 6), primarily between Sycamore Line and Remington Avenue, including signal improvements, sidewalks, extending turn lanes and includes construction, environmental, surveying, geotechnical, acquisition, and inspection as well; and

**WHEREAS**, in connection with the Project, it is necessary for the City to acquire the property described as Parcels 51-WD and 51-T (Parcel Nos. 57-01378.000, 57-01379.000, 57-01380.000, and 57-01381.000 located at 1935 Cleveland Road) and Parcel 18-T (Parcel No. 57-06003.000 located at 1210 Sycamore Line) and further described on Exhibits "A-1", "A-2" and "A-3, attached hereto (the "Property"); and

**WHEREAS**, the City delivered a Notice of Intent to Acquire and Good Faith Offer dated July 17, 2023, a copy of which is on file with the Director of Public Works (the "Notice and Offer"), declaring the City's intent to acquire the Property to the owner of such Property (the "Owner"); and

**WHEREAS**, the Notice and Offer satisfies the City's requirements pursuant to Sections 163.04 and 163.041 of the Ohio Revised Code to provide written notice of the City's intent to acquire the Property and to provide the Owner with a written good faith offer to purchase the Property at an appraised fair market value at least 30 days prior to filing a complaint for appropriation; and

**WHEREAS**, following the delivery of the Notice and Offer, the City and the Owner were unable to agree on the terms of a conveyance of the Property, as required by Ohio Revised Code, Section 163.04; and

**WHEREAS**, the Project is necessary for (a) making or repairing roads which shall be open to the public in accordance with Section 163.06 of the Ohio Revised Code and (b) the opening, widening, straightening, changing the grade of and extension of Cleveland Road in accordance with Section 719.01(A) of the Ohio Revised Code; and

**WHEREAS**, this City Commission has determined to authorize the City to proceed with the appropriation of the Property pursuant to Chapter 163 of the Ohio Revised Code and Section 719.05 of the Ohio Revised Code; and

**WHEREAS**, pursuant to Section 163.06 of the Ohio Revised Code, the City may deposit with the court at the time of filing the complaint to appropriate the value of the property appropriated together with the damages, if any, to the residue, as determined by the City, and stated in the Notice and Offer and thereupon take possession of and enter upon the Property appropriated; and

**WHEREAS**, the amount to be deposited with the Court is \$151,821.00 and will initially be paid by the City and then reimbursed through the Ohio Department of Transportation (ODOT) with Highway Safety Improvement Program (HSIP) funds in the amount of \$144,229.95 (95%) and the City's portion in the amount of \$7,591.05 (5%) will be paid with Major Infrastructure Street Funds; and

**WHEREAS**, this Ordinance should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter to allow the appropriate documents to be filed with the Court and provide the necessary documentation to ODOT in order to move forward with bidding the project; and

**WHEREAS**, in that it is deemed necessary in order to provide for the immediate preservation of the public peace, property, health, and safety of the City of Sandusky, Ohio, and its citizens, and to provide for the efficient daily operation of the Municipal Departments, including the Department of Public Works, of the City of Sandusky, Ohio, the City Commission of the City of Sandusky, Ohio finds that an emergency exists regarding the aforesaid, and that it is advisable that this **Ordinance** be declared an emergency measure which will take immediate effect in accordance with Section 14 of the City Charter upon its adoption; and NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF SANDUSKY, OHIO, THAT:

Section 1. This City finds that the City and the Owner of the Property have been unable to agree on the terms of a conveyance of the Property necessary for the Cleveland Road Safety Improvement Project.

Section 2. This City Commission determines it is necessary to appropriate the Property for the purposes of (a) making or repairing roads which shall be open to the public in accordance with Section 163.06 of the Ohio Revised Code and (b) the opening, widening, straightening, changing the grade of and extension of Cleveland Road in accordance with Section 719.01(A) of the Ohio Revised Code and hereby directs the appropriation of the Property to proceed in accordance with Chapters 163 and 719 of the Ohio Revised Code.

Section 3. The City Law Director and/or his designee is hereby directed to file a complaint for appropriation in the Erie County Court of Common Pleas in

accordance with the procedures set forth in Chapters 163 and 719 of the Ohio Revised Code.

Section 4. The City Finance Director is authorized to deposit the value of the Property, as determined in the Notice and Offer, in the amount of One Hundred Fifty-One Thousand Eight Hundred Twenty-One and 00/100 Dollars (\$151,821.00) with the Court at the time the appropriation complaint is filed to permit the City to immediately obtain possession the Property in furtherance of the Project.

Section 5. If any section, phrase, sentence, or portion of this Ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Section 6. This City Commission finds and determines that all formal actions of this City Commission concerning and relating to the passage of this Ordinance were taken in an open meeting of this City Commission and that all deliberations of this City Commission and of any of its committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

Section 7. That for reasons set forth in the preamble hereto, this Ordinance is hereby declared to be an emergency measure which shall take immediate effect in accordance with Section 14 of the City Charter upon its passage, and its due authentication by the President, and the Clerk of the City Commission of the City of Sandusky, Ohio.

\_\_\_\_\_  
RICHARD R. BRADY  
PRESIDENT OF THE CITY COMMISSION

ATTEST: \_\_\_\_\_  
CATHLEEN A. MYERS  
CLERK OF THE CITY COMMISSION

Passed: March 25, 2024



LPA RX 851 WD  
*gsc*  
Ver. Date 11/21/2022

**Exhibit "A-1"**

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PID 114056

**PARCEL 51-WD  
ERI-06-09.07**

**ALL RIGHT, TITLE AND INTEREST IN FEE SIMPLE  
IN THE FOLLOWING DESCRIBED PROPERTY  
WITHOUT LIMITATION OF EXISTING ACCESS RIGHTS  
IN THE NAME AND FOR THE USE OF THE  
"CITY OF SANDUSKY, OHIO", ERIE COUNTY, OHIO**

Grantor/Owner, for himself and his heirs, executors, administrators, successors and assigns, reserves all existing rights of ingress and egress to and from any residual area (as used herein, the expression "Grantor/Owner" includes the plural, and words in the masculine include the feminine or neuter).

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**[Surveyor's description of the premises follows]**

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Situated in the State of Ohio, County of Erie, City of Sandusky, being located in Outlot 26 of Darling's Survey of Outlots East of Sycamore Line as depicted in Plat Book 1, Page 59, and being part of that **1.95 acre tract** described as Parcel 12 in a deed to **S & S Realty Ltd.**, of record in **Record Number 200004771**, all records referenced herein are on file at the Office of the Recorder for Erie County, Ohio, being a parcel on the left side of the centerline of right-of-way for U.S. Route 6 (AKA Cleveland Avenue; R/W width varies), being a parcel on the left side of the centerline of right-of-way for Cedar Point Drive, both as delineated on the centerline plat for ERI-06-09.07, said parcel being more particularly bounded and described as follows:

Commencing for reference at the intersection of the centerline of right-of-way for U.S. Route 6 and the centerline of right-of-way for Cedar Point Drive, (reference a monument box found bearing South 16 degrees 30 minutes 20 seconds West at a distance of 1.24 feet), said point being at U.S. Route 6 centerline of right-of-way station 155+21.83;

Thence along the arc of a non-tangent curve to the left, along the centerline of right-of-way for U.S. Route 6, said curve having a radius of **3,819.77 feet**, a central angle of **02 degrees 59 minutes 24 seconds**, and an arc length of **199.34 feet** to a point, said curve being subtended by a long chord having a bearing of **North 75 degrees 09 minutes 32 seconds West** and a length of **199.32 feet**, said point being at U.S. Route 6 centerline of right-of-way station 153+22.49;

Thence **North 13 degrees 20 minutes 46 seconds West**, a distance of **40.00 feet** to a MAG nail set on the existing north right-of-way line for U.S. Route 6, being on the north line of that 0.028 acre right-of-way easement described as Parcel 19 in a deed to County of Erie, of record in Deed Book 152, Page 368, and being on the south line of said 1.95 acre tract, said MAG nail being 40.00

## **EXHIBIT A**

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feet left of U.S. Route 6 centerline of right-of-way station 153+22.49, and said MAG nail being the **TRUE POINT OF BEGINNING** for this description;

Thence through said 1.95 acre tract along the following eight (8) described courses:

1. **South 80 degrees 06 minutes 18 seconds East**, a distance of **16.44 feet** to a MAG nail set, said MAG nail being 41.02 feet left of U.S. Route 6 centerline of right-of-way station 153+38.72;
2. **South 84 degrees 51 minutes 11 seconds East**, a distance of **22.78 feet** to a MAG nail set, said MAG nail being 44.44 feet left of U.S. Route 6 centerline of right-of-way station 153+61.00;
3. **North 87 degrees 25 minutes 31 seconds East**, a distance of **39.38 feet** to a MAG nail set, said MAG nail being 55.80 feet left of U.S. Route 6 centerline of right-of-way station 153+98.22;
4. **North 82 degrees 22 minutes 22 seconds East**, a distance of **25.00 feet** to a MAG nail set, said MAG nail being 65.28 feet left of U.S. Route 6 centerline of right-of-way station 154+20.99;
5. **North 74 degrees 32 minutes 58 seconds East**, a distance of **25.00 feet** to a MAG nail set, said MAG nail being 77.95 feet left of U.S. Route 6 centerline of right-of-way station 154+42.15 and 81.31 feet left of Cedar Point Drive centerline of right-of-way station 400+77.09;
6. **North 60 degrees 18 minutes 38 seconds East**, a distance of **25.00 feet** to a MAG nail set, said MAG nail set being 63.95 feet left of Cedar Point Drive centerline of right-of-way station 400+95.08;
7. **North 51 degrees 06 minutes 36 seconds East**, a distance of **25.00 feet** to an iron pin set, said iron pin being 49.70 feet left of Cedar Point Drive centerline of right-of-way station v401+15.62;
8. **North 35 degrees 07 minutes 00 seconds East**, a distance of **30.13 feet** to an iron pin set on the existing west right-of-way line for Cedar Point Drive, as established by Plat Book 16, Page 25, being on the east line of said 1.95 acre tract, said iron pin being 40.00 feet left of Cedar Point Drive centerline of right-of-way station 401+44.15;

Thence **South 16 degrees 20 minutes 34 seconds West**, along the existing west right-of-way line for said Cedar Point Drive and along the east line of said 1.95 acre tract, a distance of **64.98 feet** to an iron pin set at a point of curvature, being at the northernmost corner of that right-of-way



APPROVED as per Erie County Requirements  
And Sections 4733-37 thru 4733-37-07 of the Ohio  
Administrative Code only. No Field Verifications  
for Accuracy made.

*Michael T. Farrell*

Engineer/Surveyor: Erie County Engineer's

Date: 9-11-2023  
LPA RX 851 WD

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parcel described as Parcel 1 in a deed to City of Sandusky, Ohio, of record in Deed Book 299, Page 523, said iron pin being 40.00 feet left of Cedar Point Drive centerline of right-of-way station 400+79.17;

Thence along the arc of a curve to the right, along the existing west right-of-way line for said Cedar Point Drive, along the northwest line of said City of Sandusky right-of-way parcel and along the southeast line of said 1.95 acre tract, said curve having a radius of **40.00 feet**, a central angle of **88 degrees 49 minutes 06 seconds**, and an arc length of **62.01 feet** to an iron pin set at a point of reverse curvature, said curve being subtended by a long chord having a bearing of **South 60 degrees 45 minutes 07 seconds West** and a length of **55.98 feet**, said iron pin being 79.18 feet left of Cedar Point Drive centerline of right-of-way station 400+39.18 and 40.00 feet left of U.S. Route 6 centerline of right-of-way station 154+43.48;

Thence along the arc of a curve to the left, along the existing north right-of-way line for said U.S. Route 6 and along the south line of said 1.95 acre tract, said curve having a radius of **3,859.77 feet**, a central angle of **01 degree 48 minutes 53 seconds**, and an arc length of **122.25 feet** to the **TRUE POINT OF BEGINNING** for this description, said curve being subtended by a long chord having a bearing of **North 75 degrees 44 minutes 47 seconds West** and a length of **122.25 feet**.

The above described right-of-way parcel contains a total area of **0.0893 acres** (0.0167 acres located within present road occupied), all of which is located within Erie County Auditor's parcel number 57-01378.000.

The bearings described herein are based on Grid North, referenced to the Ohio State Plane Coordinate System (North Zone) and the North American Datum of 1983 (2011 Adjustment), as established utilizing a GPS survey and an NGS OPUS solution.

Iron pins referenced as set are 5/8 inch diameter by 30 inch long rebar with caps inscribed "ASI PS 8438".

The above described right-of-way parcel was prepared under the direct supervision of Brian P. Bingham, Registered Professional Surveyor No. 8438 on November 21, 2022, is based on an actual survey performed by American Structurepoint, Inc., and is true and correct to the best of my knowledge and belief.

American Structurepoint, Inc.

*Brian P. Bingham*

Brian P. Bingham, PS  
Registered Professional Surveyor No. 8438



8/30/2023  
Date

**Exhibit "A-2"**

LPA RX 887 T

Ver. Date 11/21/2022

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PID 114056

**PARCEL 51-T  
ERI-06-09.07**

**TEMPORARY EASEMENT FOR THE PURPOSE OF  
PERFORMING THE WORK NECESSARY TO  
CONSTRUCT A SIDEWALK, CONSTRUCT TWO DRIVES,  
AND COMPLETE GRADING  
FOR 12 MONTHS FROM DATE OF ENTRY BY THE  
"THE CITY OF SANDUSKY, OHIO", ERIE COUNTY, OHIO**

[Surveyor's description of the premises follows]

Situated in the State of Ohio, County of Erie, City of Sandusky, being located in Outlot 26 of Darling's Survey of Outlots East of Sycamore Line as depicted in Plat Book 1, Page 59, and being part of those tracts of land described as Parcel 10, Parcel 11 and Parcel 12 in a deed to **S & S Realty Ltd.**, of record in **Record Number 200004771** (herein collectively referred to as "S & S Realty tract"), all records referenced herein are on file at the Office of the Recorder for Erie County, Ohio, being a parcel on the left side of the centerline of right-of-way for U.S. Route 6 (AKA Cleveland Avenue; R/W width varies), being a parcel on the left side of the centerline of right-of-way for Cedar Point Drive, both as delineated on the centerline plat for ERI-06-09.07, said parcel being more particularly bounded and described as follows:

Commencing for reference at the intersection of the centerline of right-of-way for U.S. Route 6 and the centerline of right-of-way for Cedar Point Drive, (reference a monument box found bearing South 16 degrees 30 minutes 20 seconds West at a distance of 1.24 feet), said point being at U.S. Route 6 centerline of right-of-way station 155+21.83;

Thence along the arc of a non-tangent curve to the left, along the centerline of right-of-way for U.S. Route 6, said curve having a radius of **3,819.77 feet**, a central angle of **02 degrees 59 minutes 24 seconds**, and an arc length of **199.34 feet** to a point, said curve being subtended by a long chord having a bearing of **North 75 degrees 09 minutes 32 seconds West** and a length of **199.32 feet**, said point being at U.S. Route 6 centerline of right-of-way station 153+22.49;

Thence **North 13 degrees 20 minutes 46 seconds West**, a distance of **40.00 feet** to a MAG nail set on the existing north right-of-way line for U.S. Route 6, being on the north line of that 0.028 acre right-of-way easement described as Parcel 19 in a deed to County of Erie, of record in Deed Book 152, Page 368, and being on the south line of said S & S Realty tract, said MAG nail being 40.00 feet left of U.S. Route 6 centerline of right-of-way station 153+22.49, and said MAG nail being the **TRUE POINT OF BEGINNING** for this description;



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Thence along the arc of a non-tangent curve to the left, along the existing north right-of-way line for said U.S. Route 6, along the north line of said Parcel 19 and along the south line of said S & S Realty tract, said curve having a radius of **3,859.77 feet**, a central angle of **01 degree 55 minutes 41 seconds**, and an arc length of **129.88 feet** to a point, said curve being subtended by a long chord having a bearing of **North 77 degrees 37 minutes 04 seconds West** and a length of **129.88 feet**, said point being 40.00 feet left of U.S. Route 6 centerline of right-of-way station 151+93.95;

Thence through said S & S Realty tract along the following ten (10) described courses:

1. **North 11 degrees 47 minutes 46 seconds East**, a distance of **4.99 feet** to a point, said point being 44.99 feet left of U.S. Route 6 centerline of right-of-way station 151+93.99;
2. **South 78 degrees 05 minutes 06 seconds East**, a distance of **136.14 feet** to a point, said point being 46.21 feet left of U.S. Route 6 centerline of right-of-way station 153+28.52;
3. **South 83 degrees 19 minutes 14 seconds East**, a distance of **43.68 feet** to a point, said point being 51.59 feet left of U.S. Route 6 centerline of right-of-way station 153+71.32;
4. **North 87 degrees 41 minutes 48 seconds East**, a distance of **20.44 feet** to a point, said point being 57.41 feet left of U.S. Route 6 centerline of right-of-way station 153+90.65;
5. **North 82 degrees 01 minute 15 seconds East**, a distance of **41.50 feet** to a point, said point being 73.37 feet left of U.S. Route 6 centerline of right-of-way station 154+28.30 and 95.33 feet left of Cedar Point Drive centerline of right-of-way station 400+72.20;
6. **North 66 degrees 26 minutes 45 seconds East**, a distance of **31.20 feet** to a point, said point being 71.39 feet left of Cedar Point Drive centerline of right-of-way station 400+92.21;
7. **North 48 degrees 04 minutes 21 seconds East**, a distance of **44.16 feet** to a point, said point being 48.16 feet left of Cedar Point Drive centerline of right-of-way station 401+29.77;
8. **North 24 degrees 39 minutes 56 seconds East**, a distance of **13.81 feet** to a point, said point being 46.16 feet left of Cedar Point Drive centerline of right-of-way station 401+43.43;

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9. **North 16 degrees 20 minutes 34 seconds East**, a distance of **100.49 feet** to a point, said point being 46.16 feet left of Cedar Point Drive centerline of right-of-way station 402+43.92;
10. **South 73 degrees 39 minutes 26 seconds East**, a distance of **6.16 feet** to a point on the existing west right-of-way line for Cedar Point Drive, as established by Plat Book 16, Page 25, being on the east line of said S & S Realty tract, said point being 40.00 feet left of Cedar Point Drive centerline of right-of-way station 402+43.92;

Thence **South 16 degrees 20 minutes 34 seconds West**, along the existing west right-of-way line for said Cedar Point Drive and along the east line of said S & S Realty tract, a distance of **99.77 feet** to an iron pin set on a proposed right-of-way parcel, said iron pin being 40.00 feet left of Cedar Point Drive centerline of right-of-way station 401+44.15;

Thence through said S & S Realty tract and along said proposed right-of-way parcel along the following eight (8) described courses:

1. **South 35 degrees 07 minutes 00 seconds West**, a distance of **30.13 feet** to an iron pin set, said iron pin being 49.70 feet left of Cedar Point Drive centerline of right-of-way station 401+15.62;
2. **South 51 degrees 06 minutes 36 seconds West**, a distance of **25.00 feet** to a MAG nail set, said MAG nail being 63.95 feet left of Cedar Point Drive centerline of right-of-way station 400+95.08;
3. **South 60 degrees 18 minutes 38 seconds West**, a distance of **25.00 feet** to a Mag nail set, said MAG nail being 81.31 feet left of Cedar Point Drive centerline of right-of-way station 400+77.09 and 77.95 feet left of U.S. Route 6 centerline of right-of-way station 154+42.15;
4. **South 74 degrees 32 minutes 58 seconds West**, a distance of **25.00 feet** to a MAG nail set, said MAG nail being 65.28 feet left of U.S. Route 6 centerline of right-of-way station 154+20.99;
5. **South 82 degrees 22 minutes 22 seconds West**, a distance of **25.00 feet** to a MAG nail set, said MAG nail being 55.80 feet left of U.S. Route 6 centerline of right-of-way station 153+98.22;
6. **South 87 degrees 25 minutes 31 seconds West**, a distance of **39.38 feet** to a MAG nail set, said MAG nail being 44.44 feet left of U.S. Route 6 centerline of right-of-way station 153+61.00;



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7. **North 84 degrees 51 minutes 11 seconds West**, a distance of **22.78 feet** to a MAG nail set, said MAG nail being 41.02 feet left of U.S. Route 6 centerline of right-of-way station 153+38.72;
8. **North 80 degrees 06 minutes 18 seconds West**, a distance of **16.44 feet** to the **TRUE POINT OF BEGINNING** for this description.

The above described temporary easement contains a total area of **0.0538 acres**, of which 0.0078 acres is located within Erie County Auditor's parcel number 57-01380.000, 0.0391 acres is located within Erie County Auditor's parcel number 57-01378.000 and 0.0069 acres is located within Erie County Auditor's parcel number 57-01379.000.

The bearings described herein are based on Grid North, referenced to the Ohio State Plane Coordinate System (North Zone) and the North American Datum of 1983 (2011 Adjustment), as established utilizing a GPS survey and an NGS OPUS solution.

The above described temporary easement was prepared under the direct supervision of Brian P. Bingham, Registered Professional Surveyor No. 8438 on November 21, 2022, is based on an actual survey performed by American Structurepoint, Inc., and is true and correct to the best of my knowledge and belief.

American Structurepoint, Inc.



Brian P. Bingham, PS  
Registered Professional Surveyor No. 8438



8/30/2023  
Date

**Exhibit "A-3"**

LPA RX 887 T

Ver. Date 11/21/2022

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PID 114056

**PARCEL 18-T  
ERI-06-09.07**

**TEMPORARY EASEMENT FOR THE PURPOSE OF  
PERFORMING THE WORK NECESSARY TO  
CONSTRUCT A SIDEWALK AND COMPLETE GRADING  
FOR 12 MONTHS FROM DATE OF ENTRY BY THE  
"THE CITY OF SANDUSKY, OHIO", ERIE COUNTY, OHIO**

[Surveyor's description of the premises follows]

Situated in the State of Ohio, County of Erie, City of Sandusky, being located in Outlot 19 of Darling's Survey of Outlots East of Sycamore Line as depicted in Plat Book 1, Page 59, and being part of that **1.1419 acre tract** described in a deed to **S & S Realty Ltd.**, of record in **Record Number 200004771**, all records referenced herein are on file at the Office of the Recorder for Erie County, Ohio, being a parcel on the right side of the centerline of right-of-way for Sycamore Line (R/W width varies), as delineated on the centerline plat for ERI-06-09.07, said parcel being more particularly bounded and described as follows:

Commencing at a point on the existing centerline of right-of-way for said Sycamore Line, said point being the northwest corner of said 1.1419 acre tract, being the southwest corner of that 2.4837 acre tract described in a deed to Stein Hospice Service, of record in Record Number 24273, said point being at Sycamore Line centerline of right-of-way station 382+43.01;

Thence **North 87 degrees 28 minutes 21 seconds East**, along the north line of said 1.1419 acre tract and along the south line of said Stein Hospice Service tract, a distance of **30.00 feet** to a point on the existing east right-of-way line for said Sycamore Line, said point being 30.00 feet right of Sycamore Line centerline of right-of-way station 382+43.01, and said point being the **TRUE POINT OF BEGINNING** for this description;

Thence **North 87 degrees 28 minutes 21 seconds East**, continuing along the north line of said 1.1419 acre tract and continuing along the south line of said Stein Hospice Service tract, a distance of **5.00 feet** to a point, said point being 35.00 feet right of Sycamore Line centerline of right-of-way Station 382+43.01;



**EXHIBIT A**

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Thence **South 02 degrees 31 minutes 39 seconds East**, through said 1.1419 acre tract, a distance of **154.00 feet** to a point on the south line of said 1.1419 acre tract, being on the north line of that 0.7725 acre tract described in a deed to Lodico Properties, LLC., of record in Record Number 202109286, said point being 35.00 feet right of Sycamore Line centerline of right-of-way station 380+89.01;

Thence **South 87 degrees 28 minutes 21 seconds West**, along the south line of said 1.1419 acre tract and along the north line of said Lodico Properties, LLC. tract, a distance of **5.00 feet** to a point on the existing east right-of-way for said Sycamore Line, said point being 30.00 feet right of Sycamore Line centerline of right-of-way station 380+89.01;


Thence **North 02 degrees 31 minutes 39 seconds West**, along the existing east right-of-way line for said Sycamore Line and through said 1.1419 acre tract, a distance of **154.00 feet** to the **TRUE POINT OF BEGINNING** for this description.

The above described temporary easement contains a total area of **0.0177 acres**, all of which is located within Erie County Auditor's parcel number 57-06003.000.

The bearings described herein are based on Grid North, referenced to the Ohio State Plane Coordinate System (North Zone) and the North American Datum of 1983 (2011 Adjustment), as established utilizing a GPS survey and an NGS OPUS solution.

The above described temporary easement was prepared under the direct supervision of Brian P. Bingham, Registered Professional Surveyor No. 8438 on November 21, 2022, is based on an actual survey performed by American Structurepoint, Inc., and is true and correct to the best of my knowledge and belief.

American Structurepoint, Inc.

  
Brian P. Bingham, PS  
Registered Professional Surveyor No. 8438



8/30/2023  
Date

APPROVED as per Erie County Requirements  
And Sections 4733-37 thru 4733-37-07 of the Ohio  
Administrative Code only. No Field Verifications  
for Accuracy made.

  
Engineer/Surveyor: Erie County Engineer's

Date: 9-11-2023