



## Legislation Details (With Text)

**File #:** 1713-2022      **Version:** 1

**Type:** Ordinance      **Status:** Passed

**File created:** 6/8/2022      **In control:** Zoning Committee

**On agenda:** 6/27/2022      **Final action:** 6/30/2022

**Title:** To rezone 3336 E. 5TH AVE. (43219), being 3.45± acres located at the northwest corner of East Fifth Avenue and Stelzer Road, From: R-4, Residential District, To: M, Manufacturing District (Rezoning #Z22-009).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD1713-2022.Attachments, 2. ORD1713-2022.Labels

Date	Ver.	Action By	Action	Result
6/30/2022	1	CITY CLERK	Attest	
6/29/2022	1	MAYOR	Signed	
6/27/2022	1	COUNCIL PRESIDENT	Signed	
6/27/2022	1	Zoning Committee	Waive the 2nd Reading	Pass
6/27/2022	1	Zoning Committee	Approved	Pass

### Rezoning Application: Z22-009

**APPLICANT:** MAK Engineering Services LLC; c/o Nia Harrington; 225 South Main Street; Mount Vernon, OH 43056.

**PROPOSED USE:** Manufacturing uses.

**DEVELOPMENT COMMISSION RECOMMENDATION:** Approval (5-1) on June 9, 2022.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The site is undeveloped in the R-4, Residential District. The requested M, Manufacturing District will permit unspecified manufacturing uses. This site is within the planning boundaries of the *Port Columbus Joint Economic Development Strategy* (2008) which recommends “Residential” land uses at this location and the *East Columbus Neighborhood Plan* (2012) which recommends “Medium-High Density Mixed Residential” land uses at this location. While the proposal is inconsistent with the residential land use recommendations of these Plans, Planning Division staff is supportive of the non-residential uses at this location, recognizing that East 5<sup>th</sup> Avenue and Stelzer Road are both mixed use corridors that include many properties zoned in the M district.

To rezone **3336 E. 5<sup>TH</sup> AVE. (43219)**, being 3.45± acres located at the northwest corner of East Fifth Avenue and Stelzer Road, **From:** R-4, Residential District, **To:** M, Manufacturing District (Rezoning #Z22-009).

**WHEREAS**, application #Z22-009 is on file with the Department of Building and Zoning Services requesting rezoning of 3.45± acres from R-4, Residential District, to M, Manufacturing District; and

**WHEREAS**, the Development Commission recommends approval of said zoning change; and

**WHEREAS**, the City Departments recommend approval of said zoning change because the proposed M, Manufacturing District will allow an industrial development that is compatible with nearby industrial uses. While the proposal is inconsistent with the residential land use recommendations of the *Port Columbus Joint Economic Development Strategy* and the *East Columbus Neighborhood Plan*, staff recognizes non-residential uses in the area, with East 5<sup>th</sup> Avenue and Stelzer Road being mixed use corridors that include many properties zoned in the M district; now, therefore:

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

**SECTION 1.** That the Official Zoning Map of the City of Columbus, as adopted by Ordinance #0179 -03, passed February 24, 2003, and as subsequently amended, is hereby revised by changing the zoning of the property as follows:

**3336 E. 5<sup>TH</sup> AVE. (43219)**, being 3.45± acres located at the northwest corner of East Fifth Avenue and Stelzer Road, and being more particularly described as follows:

**Property 1**

Situated in the County of Franklin, in the State of Ohio and in the City of Columbus:

Beginning at a point in the center line of Fifth Avenue, 157 feet West of the center line of Stelzer Road, at the Southwest corner of a one acre tract of land conveyed to Martin A. Stelzer by Barbara Stelzer and others by deed dated July 17, 1901, and recorded in Deed Book 342, Page 124 et seq.; thence with the center line of Fifth Avenue North 87 deg. 05' West 157 feet to the Southwest corner of the original John Stelzer Farm; thence North 4 deg. East along the West line of said farm and passing an iron pin at 30 feet, 277.46 feet to an iron bolt; thence South 87°05' East 158 feet to an iron pipe at the Northwest corner of the one acre tract heretofore mentioned; thence South with the west line of said one acre tract South 4 deg. West passing an iron pipe at 247.46 feet to the place of beginning, containing one acre, more or less.

**PARCEL NO. 2**

Beginning at a point at the Northwest corner of the above mentioned one acre tract; thence North, being the west line of said one acre tract extended, to the point of intersection with the South line of Sixth Avenue; thence Easterly along the South line of Sixth Avenue, to a point at the intersection of the East line extended of parcel No. 1, and the South line of Sixth Avenue, thence Southerly along said East line extended to the Northeast corner of said parcel No. 1; thence along the North line of said parcel No. 1 to the place of beginning, the same being a rectangular strip of ground the approximate dimensions of which are 38.17' X 158.3'.

LESS AND EXCEPTING: 100 feet off the side of the two above mentioned Parcels, heretofore deeded by the Grantors to Jessie M. Shoemaker and recorded in Deed Book 933, page 403, Recorder's Office, Franklin County, Ohio, Beginning at a point in the center of Fifth Avenue, 157 feet west of the center line of Stelzer Road, at the southwest corner of a one acre tract of land conveyed to Martin A. Stelzer by Barbara Stelzer and others, by deed dated July 27, 1901, and recorded in Deed Book 342, page 124 et seq.; thence northerly along the West side of said one acre tract extended, 315.67 feet to a point in the South line of Sixth Avenue; thence westerly along the South line of Sixth Avenue 100 feet to a point in the said South line; thence Southerly parallel with said above described East line 315.9 feet to a point in the center line of Fifth Avenue; thence Easterly along the center line of Fifth Avenue 100 feet to the place of beginning, containing .7593 acres of land, more or less, and identified as Parcel Number 010-034028.

Parcel No.: 010-034598-00

Property Address: 3306 East Fifth Avenue, Columbus, Ohio 43219

**Property 2**

Situated in the County of Franklin, in the State of Ohio and in the City of Columbus:

Being in Quarter Township No. 3, Township 1, Range 17, U.S.M. Lands, Bounded and described as follows:

Beginning at a point in the center of Fifth Avenue, 157 feet west of the center line of Stelzer Road, at the southwest corner of a one acre tract of land conveyed to Martin A. Stelzer by Barbara Stelzer and others, by deed dated July 17, 1901, and recorded in deed book 324, page 124 et seq.; thence northely along the West side of said one acre tract extended, 315.67 feet to a point in the South line of Sixth Avenue; thence Westerly along the South line of Sixth Avenue 100 feet to a point in said South line; thence Southerly parallel with said above described East line of 315.9 feet to a point in the centerline of Fifth Avenue; thence Easterly along the center line of Fifth Avenue 100 feet to the place of beginning, containing .7593 acre of land more or less.

Parcel No.: 010-034028-00

Property Address: 3312 East Fifth Avenue, Columbus, Ohio 43219

Property 3

Situated in the County of Franklin, State of Ohio and City of Columbus:

Being in the Southwest corner of a one acre tract of land, part of Quarter Township No. 3, Township 1, Range 17, U.S.M. Military Lands, bounded and described as follows:

Beginning at an iron tube in the North line of Fifth Avenue, located 157 feet west of the center line of Stelzer Road; thence Northerly along the west line of said one acre tract land 135 feet to a stake; thence Easterly and parallel to the North line of Fifth Avenue 40 feet to a stake; thence Sotherly and parallel to the West line of said one acre tract 135 feet to a stake in the North line of fifth Avenue; thence Westerly along the North line of Fifth Avenue 40 feet to the place of Beginning, Subject however to an easement for highway purposes as set forth in as easement recorded in the records of Franklin County, Ohio, in Deed Book 1208, Page 44.

Parcel No.: 010-058803-00

Property Address: 3326 East Fifth Avenue, Columbus, Ohio 43219

Property 4

Situated in the County of Franklin, State of Ohio and City of Columbus:

Being in the Southwest corner of a one acre tract of land, a part of Quarter Township 3, Mifflin Township, Range 17, United States Military Lands, and bounded and described as follows:

Beginning at an iron tube in the North line of Fifth Avenue located one hundred and seventeen (117) feet West of the center of Stelzer Road; thence Northerly along the East line of George Marshall's lot one hundred and thirty-five (135) feet to a stake; thence Easterly and parallel to the North line of Fifth Avenue forty (40) feet to a stake; thence Southerly and parallel to the East of Said George Marshall's lot one hundred and thirty-five (135) feet to a stake in the North line of Fifth Avenue; thence Westerly along the line of Fifth Avenue forty (40) feet to the place of beginning.

Parcel No.: 010-035130-00

Property Address: 3332 East Fifth Avenue, Columbus, Ohio 43219

Property 5

Situated in the County of Franklin, State of Ohio and in the City of Columbus:

Being in and a part of Quarter Township 3, Township 1, and Range 17 of the United States Military Lands and bounded and described as follows:

Beginning at the intersection of the center line of the Stelzer Road with the center line of the East Fifth Avenue Free Turnpike; thence with the center line of said Free Turnpike N. 87 degrees 5' W. one hundred and fifty-seven (157) feet; thence N. 4 degrees E. two hundred and seventy-seven and forty-six hundredths (277.46) feet to an iron pin; thence S. 87 degrees 5' E. one hundred and fifty-seven (157) feet to the center line of said Stelzer Road; thence with the center line of

said Stelzer Road, S. 4 degrees W. two hundred and seventy-seven and forty-six hundredths (277.46) feet to the place of beginning and containing one acre of land. EXCEPTING therefrom that tract or parcel of land heretofore conveyed by Martin A. Stelzer and Mable Stelzer to George W. Marshall by deed dated July 14, 1915 and recorded in Deed Book Vol. 570, Page 550, Recorder's Office, Franklin County, Ohio. Also EXCEPTING therefrom that tract or parcel of land heretofore conveyed by Martin A. Stelzer to Marvin F. Weisenstein by Deed dated April 11, 1932 and recorded in Deed Book Vol. 954, Page 673, Recorder's Office, Franklin County, Ohio.

INCLUDED in said described premises is a tract of ground described as follows:

Beginning in the Third Quarter of Township 1, Range 17, United States Military Lands and further described as follows:

Beginning at a point in the center line of Stelzer Road, and in the Northeast corner of the Joseph M. Stelzer tract (the Southeast corner of Lot 2); thence along the center line of Stelzer Road, North 3 degrees 44' East 38.24 feet to a point in the South line of Sixth Avenue; thence along the South line of Sixth Avenue, North 87 degrees 24' West (passing a pipe at 25 feet) 157.05 feet to a pipe in the West line of Lot 2; thence South 3 degrees 44' West 38.21 feet to a pipe in the North line of the Joseph M. Stelzer tract; thence along the North line of said tract, South 87 degrees 24' East (passing a pipe at 132.05 feet) 157.05 feet to the place of beginning, containing .136 acres, more or less, conveyed by Martin A. Stelzer and wife to Joseph M. Stelzer by deed dated January 24, 1938, of record in Deed Book Volume 1066, page 659 of Recorder's Office, of Franklin County, Ohio.

The premises herein conveyed are subject to an easement for highway purposes of the State of Ohio and the City of Columbus, Ohio.

Following Exceptions For the Above Legal Descriptions:

Situated in the County of Franklin, State of Ohio and City of Columbus:

Being in the Southwest corner of a one acre tract of land, part of Quarter Township No. 3, Township I, Range 17, U.S.M. Military Lands, bounded and described as follows:

Beginning at an iron tube in the North line of Fifth Avenue, located 157 feet west of the Center line of Stelzer Road, thence Northerly along the west line of said one acre tract land 135 feet to a stake, thence Easterly and parallel to the North line of Fifth Avenue 40 feet to a stake, thence Southerly and parallel to the West line of said one acre tract 135 feet to stake in the North line of Fifth Avenue; thence Westerly along the North line of Fifth Avenue 40 feet to the place of Beginning. Subject however to an easement for highway purposes as set forth in as easement recorded in the records of Franklin County, Ohio, in Deed Book 1208, page 44.

Situated in the County of Franklin, State of Ohio and County of Columbus;

Being in the Southwest corner of a one acre tract of land, a part of Quarter Township 3, Mifflin Township, Range 17, United States Military Lands, and bounded and described as follows:

Beginning at an iron tube in the North line of Fifth Avenue located one hundred and seventeen (117) feet West of the center of Stelzer Road; thence Northerly along the East line of George Marshall's lot one hundred and thirty-five (135) feet to a stake; thence Easterly and parallel to the North line of Fifth Avenue forty (40) feet to a stake; thence Southerly and parallel to the East of said George Marshall's lot one hundred and thirty-five (135) feet to a stake in the North line of Fifth Avenue; thence Westerly, along the line of Fifth Avenue forty (40) feet in the place of beginning.

Parcel No.: 010-066407-00 and 010-092811-00

Property Address: 3336 East Fifth Avenue, Columbus, Ohio 43219

**To Rezone From:** R-4, Residential District,

**To:** M, Manufacturing District.

**SECTION 2.** That a Height District of thirty-five (35) feet is hereby established on the M, Manufacturing District on this property.

**SECTION 3.** That the Director of the Department of Building and Zoning Services be, and is hereby authorized and directed to make the said changes on the said original zoning map in the office of the Department of Building and Zoning Services.

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