



Legislation Details (With Text)

File #: 3262-2022 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 11/16/2022 **In control:** Zoning Committee

On agenda: 12/12/2022 **Final action:** 12/14/2022

Title: To grant a Variance from the provisions of Section 3367.15(A)(D), M-2 manufacturing district special provisions; of the Columbus City Codes; for the property located at 1709 FRANK RD. (43223), to permit reduced development standards for a food manufacturing plant in the M-2, Manufacturing District (Council Variance #CV22-107).

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD3262-2022_Attachments, 2. ORD3262-2022_Lables

Date	Ver.	Action By	Action	Result
12/14/2022	1	CITY CLERK	Attest	
12/13/2022	1	MAYOR	Signed	
12/12/2022	1	COUNCIL PRESIDENT	Signed	
12/12/2022	1	Zoning Committee	Accept entire staff report into evidence as an exhibit	Pass
12/12/2022	1	Zoning Committee	Adopt the findings of staff as the findings of Council	Pass
12/12/2022	1	Zoning Committee	Approved	Pass
12/5/2022	1	Columbus City Council	Read for the First Time	

Council Variance Application: CV22-107

APPLICANT: T. Marzetti Company; c/o Holly Gross, Atty.; 41 South High Street, Suite 2600; Columbus, OH 43215.

PROPOSED USE: Food manufacturing.

SOUTHWEST AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The applicant has received a recommendation of approval from Staff and the Development Commission for a concurrent rezoning (Ordinance #3260-2022; Z22-080) to the M-2, Manufacturing District. The requested variance will permit reduced building setbacks along Frank Road and, Gantz Road, and will allow existing loading facilities and maneuvering along Gantz Road to be maintained. Staff supports the requested variance noting that the small building expansion and new equipment pad along Frank Road will help replace an existing portion of the facility that extended into the public right-of-way, and will conform other existing conditions on the site.

To grant a Variance from the provisions of Section 3367.15(A)(D), M-2 manufacturing district special provisions; of the Columbus City Codes; for the property located at **1709 FRANK RD. (43223)**, to permit reduced development standards

for a food manufacturing plant in the M-2, Manufacturing District (Council Variance #CV22-107).

WHEREAS, by application #CV22-107, the owner of property at **1709 FRANK RD. (43223)**, is requesting a Council variance to permit reduced development standards for a food manufacturing plant in the M-2, Manufacturing District; and

WHEREAS, Section 3367.15(A)(D), M-2 Manufacturing district special provisions, requires that any building or structure of any type shall be located not less than 50 feet from the street line, and that no portion of the required 50-foot buffer shall be used for either off-street parking or loading spaces, while the applicant proposes a reduced building setback of 23 feet along Frank Road, zero feet along Gantz Road, and to maintain loading facilities and maneuvering within the 50-foot buffer along Gantz Road; and

WHEREAS, the Southwest Area Commission recommends approval of said zoning change; and

WHEREAS, the City Departments recommend approval because the requested variances will conform existing conditions on the site, and facilitates the removal of a portion of the facility that had previously extended into the public right-of-way; and

WHEREAS, this ordinance requires separate submission for all applicable permits and a Certificate of Occupancy for the proposed use; and

WHEREAS, said variance will not adversely affect the surrounding property or surrounding neighborhood; and

WHEREAS, the granting of said variance will not impair an adequate supply of light and air to adjacent properties or unreasonably increase the congestion of public streets, or unreasonably diminish or impair established property values within the surrounding area, or otherwise impair the public health, safety, comfort, morals, or welfare of the inhabitants of the City of Columbus; and

WHEREAS, the granting of said variance will alleviate the difficulties encountered by the owners of the property located at **1709 FRANK RD. (43223)**, in using said property as desired; now, therefore:

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

SECTION 1. That a variance from the provisions of Section 3367.15(A)(D), M-2 manufacturing district special provisions, of the Columbus City Codes, is hereby granted for the property located at **1709 FRANK RD. (43223)**, insofar as said sections prohibit reduced building setbacks from 50 feet to 23 feet along Frank Road, to zero feet along Gantz Road and maintain loading facilities and maneuvering within the 50-foot buffer along Gantz Road; said property being more particularly described as follows:

1709 FRANK RD. (43223), being 10.68± acres located at the southeast corner of Frank Road and Gantz Road, and being more particularly described as follows:

Being part of Lot Number One (1) of the Subdivision of the Estate of William W. House, deceased. Complete Record 236, page 630, Court of Common Pleas, Franklin County, Ohio, and in Survey No. 1454, of the Virginia Military District:

Beginning at an iron pin in the intersection of the Gantz County Road and the County Road on the north side of said farm lands, it being the northwest corner of the said William House farm; thence with the center of the County Road South 76° 45' E. 361.62 feet to a point; thence on a line parallel with Gantz County Road, S. 14° W. 1474.41 feet to a point in the south line of said Lot No. 1; thence with said south line of said Lot No. 1, N. 76° 45' W. 361.62 feet to an iron pin in the center of Gantz County Road, and the northwest corner of Lot 2 of said subdivision, thence with the center line of said Road N. 14° E. 1474.41 feet to the place of beginning, containing 12.24 acres of land, more or less.

EXCEPTING THEREFROM THE FOLLOWING:

Being a parcel of land lying in the left and right sides of the centerline of a survey, made by the Franklin County Engineer, and being located within the following described points in the boundary thereof:
Being part of a 12.24 acre tract of land as the same is described in Deed Book 1837, Page 220, of the records of Franklin County, and being further described as follows:

Beginning at an iron pipe in the northwest corner of said tract, said iron pipe being in the centerline intersection of Franklin Road with Gantz Road and being 17.90 feet left of centerline station 205+74.97' of the aforementioned survey;

COURSE NO. 1

thence South 76° 08' 17" East along the northerly line of said tract and the existing centerline of Frank Road a distance of 361.62 feet to a point in the northeast corner of said tract;

COURSE NO. 2

thence South 14° 20' 28" West along the easterly line of said tract a distance of 49.24 feet to a point, crossing centerline station 209+35.63 of the aforementioned survey at 4.23 feet;

COURSE NO. 3

thence northwesterly along a curve to the left, said curve being concentric with and distant 45.00 feet from the centerline of said survey and having a radius of 5684.58 feet, a chord bearing North 77° 58' 54" West and a chord distance of 292.62 feet, to a point;

COURSE NO. 4

thence South 58° 48' 01" West a distance of 48.87 feet to a point distant 35.00 feet from the centerline of Gantz Road;

COURSE NO. 5

thence South 23° 48' 11" West a distance of 60.83 feet to a point in the easterly right of way line of Gantz Road;

COURSE NO. 6

thence North 75° 39' 32" West a distance of 25.00 feet to a point in the westerly line of said tract and in the centerline of Gantz Road;

COURSE NO. 7

thence North 14° 20' 28" East along the westerly line of said tract and the centerline of Gantz Road a distance of 152.96 feet to the place of beginning, crossing centerline station 205+73.58 of the aforementioned survey at 135.00 feet;

Containing 0.529 acre of land, more or less, including 0.262 acre in the present road.

(Known as Parcel No. 236 WD Deed Book 3395, Page 167)

Last Transfer: Deed Book 1837, Page 220

FURTHER ACCEPTING THEREFROM THE FOLLOWING:

Being a strip of land off the north side of that original 12.24 acre tract (D.V. 0042 All of the Franklin County Records of Deeds) and lying adjacent to and south of the south line of that existing 0.262 acre parcel (Parcel 236 WD, Deed Book, 3395, Page 167) as deeded to the City of Columbus, Ohio, and being more particularly described as follows:

Beginning at that point on the said existing right of way line which lies S. 14° 20' 28" W, with the center line of Gantz Road, a distance of 135.00 feet and then S 74° 39' 32" E, a distance of 25.00 feet from Station 205+74.97 of the center line survey of Frank Road as made by Franklin County Engineer.

THENCE, with the south line of said existing right of way line, the following 3 bearings and distances:

N 23° 48' 11" E, 60.83 feet.

N 58° 48' 01" E, 48.87 feet.

S 77° 58' 54" E, 292.62 feet to the grantor's northeast corner.

THENCE, with the grantor's east line, S 14° 20' 28" W, a distance of 15.00 feet to a point 60.00 feet south, at right angles, from the center line of Frank Road.

THENCE northwesterly, along a curve to the left, concentric with and 60.00 feet from the center line of Frank Road (Radius 5669.58 feet, Chord = N 77° 58' 54" W, a distance of 292.62 feet).

THENCE, S 40° 29' 44" W, a distance of 89.00 feet to a point 30.00 feet easterly, at right angles, from the center line of Gantz Road.

THENCE, N 75° 39' 32" W, a distance of 5.00 feet to the point of beginning. Containing 0.1325 acre.

ALSO: (Out of the same original 12.24 acres).

A strip of land 30 feet in width, being contiguous with the west terminus of the above 0.1325 acre strip and running 30 feet easterly, at right angles, from the center line of Gantz Road, running southerly, the full length of the west line of said grantor's land and being more particularly described as follows:

Beginning at a point on the center line of Gantz Road, S 14° 20' 28" W, 135.00 feet from the center line of Frank Road at Station 205+74.97.

THENCE, at right angles S 75° 39' 32" E, a distance of 30.00 feet.

THENCE, parallel to and 30.00 feet distant from the center line of said Gantz Road, S 14° 20' 28" W, a distance of 1321.20 feet to the south line of said grantor's original 12.24 acre tract.

THENCE, with said south line, N 76° 08' 17" W, a distance of 30.00 feet to the center line of Gantz Road.

THENCE, with said center line, N 14° 20' 28" E, a distance of 1321.45 feet to the point of beginning. Containing 0.910 acre.

Known as 1709 Frank Rd., Columbus, OH 43223.

Parcel Number IDs: 570-126842 & 570-126841

SECTION 2. That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for those uses permitted in the M-2, Manufacturing District.

SECTION 3. That this ordinance is further conditioned upon the applicant obtaining all applicable permits and a Certificate of Occupancy for the proposed use.

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