



Legislation Details (With Text)

File #: 0598-2016 **Version:** 1
Type: Ordinance **Status:** Passed
File created: 2/24/2016 **In control:** Zoning Committee
On agenda: 3/14/2016 **Final action:** 3/17/2016
Title: To rezone 2219 EAKIN ROAD (43223), being 2.33± acres located on the south side of Eakin Road, across from the intersection with Whitethorne Avenue, From: M-2, Manufacturing District, To: M, Manufacturing District (Rezoning # Z15-018).

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD0598-2016Attachments, 2. ORD0598-2016Labels

Date	Ver.	Action By	Action	Result
3/17/2016	1	CITY CLERK	Attest	
3/16/2016	1	MAYOR	Signed	
3/14/2016	1	COUNCIL PRESIDENT	Signed	
3/14/2016	1	Zoning Committee	Waive the 2nd Reading	Pass
3/14/2016	1	Zoning Committee	Approved	Pass

Rezoning Application Z15-018

APPLICANT: Michael Crabtree; c/o Dave Perry, Agent; David Perry Company, Inc.; 145 East Rich Street, 3rd Floor; Columbus, OH 43215.

PROPOSED USE: Industrial and commercial development.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (6-0) on October 8, 2015.

GREATER HILLTOP AREA COMMISSION RECOMMENDATION: Approval

CITY DEPARTMENTS' RECOMMENDATION: Approval. The site is developed with storage uses, a single-unit dwelling, a commercial garage, a tire shop, and an automobile sales lot zoned in the M-2, Manufacturing District. The applicant requests the M, Manufacturing District to secure proper zoning for existing commercial uses, and to rectify zoning code violations for the automobile sales lot that was established without a Certificate of Zoning Clearance. The site is located within the planning area of *The Greater Hilltop Plan Amendment (2010)* which recommends "Neighborhood Mixed Use" for this location. The M, Manufacturing District is more consistent with the Plan's recommendation for neighborhood mixed use by allowing commercial uses in addition to the already permitted industrial uses. Since there are residential districts within 600 feet of this site, the M zoning would not allow for more objectionable uses unless a variance from the Board of Zoning Adjustment was granted.

To rezone **2219 EAKIN ROAD (43223)**, being 2.33± acres located on the south side of Eakin Road, across from the intersection with Whitethorne Avenue, From: M-2, Manufacturing District, To: M, Manufacturing District (Rezoning #

Z15-018).

WHEREAS, application No. Z15-018 is on file with the Building and Zoning Services Department requesting rezoning of 2.33± acres from M-2, Manufacturing District, to M, Manufacturing District; and

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

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

WHEREAS, the City Departments recommend approval of said zoning change because the requested M, Manufacturing District is more consistent with the *Greater Hilltop Plan Amendment* land use recommendation for neighborhood mixed use by allowing commercial uses in addition to the already permitted industrial uses. Since there are residential districts within 600 feet of this site, more objectionable manufacturing uses would not be permitted; 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 No. 0179-03, passed February 24, 2003, and as subsequently amended, is hereby revised by changing the zoning of the property as follows:

2219 EAKIN ROAD (43223), being 2.33± acres located on the south side of Eakin Road, across from the intersection with Whitethorne Avenue, and being more particularly described as follows:

TRACT 1

2215 Eakin Road (PID: 570-109488), 2.0 Ac.

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

Being in Virginia Military Survey No. 971 and being a triangular strip of land off of the east side of a 6.68 acre tract as described in deed of record in Deed Book No. 7, Pages 15 and 17, Franklin County, Ohio, and also being the same premises conveyed by Clarence W. Born and Waneta L. Born to David E. Cochenour and Roberta C. Cochenour by deed dated May 3, 1961 and recorded in Volume 2318, Page 386, Recorder's Office, Franklin County, Ohio:

Beginning at an iron pin at the northeast corner of said 6.68 acre tract; thence south 40 degrees 20' West along the west right-of-way line of the B&O Railroad, 667.22 feet to a stake; thence north 15 degrees 30' East 601.20 feet to an iron pin in the center line of Eakin Road; thence with said center line South 75 degrees 23' East 280.25 feet to the place of beginning containing 2 acres of land.

TRACT 2

2225 Eakin Road (PID: 570-288704), 0.585 Ac.

Situated in the State of Ohio, County of Franklin, City of Columbus, Virginia Military Survey No. 971, and being 0.585 acres of land entirely out of a 3.819 acre tract of land belonging to BLS Rentals LTD. of record in Instrument No. 200708070138578 at the Franklin County Recorder's Office, Franklin County, Ohio, and said 0.585 acre tract of land being more particularly described as follows:

Beginning at a Mag Nail (set), said Mag Nail being located at the most northwesterly property corner of a 2.00 acre tract of land belonging to Onofrio and Joanne Pezzo of record in Instrument No. 200506010106037 at said Recorders Office, said point also being located at the most northeasterly

property corner of said herein described 0.585 acre tract of land, said point also being located at the centerline of Eakin Road (Fifty feet wide);

Thence from said point of Beginning along the westerly property line of said 2.00 acre tract, and also along the easterly property line of said 3.819 acre tract, S 14° 44' 46" W, (passing a 5/8" rebar (found) (good condition) at a distance of 30.00 feet) a total distance of 250.00 feet to an iron pin (set);

Thence across said 3.819 acre tract, N 75° 47' 44" W, a distance of 102.00 feet to an iron pin (set);

Thence continuing across said 3.819 acre tract, N 14° 44' 46" E, (passing a Railroad Spike (set) (good condition) at a distance of 225.00 feet) a total distance of 250.00 feet to a Mag Nail (set), said Mag Nail being located at the said centerline of Eakin Road;

Thence along the said centerline of Eakin Road, S 75° 47' 44" E, a distance of 102.00 feet to the point of Beginning and containing 0.585 acres of land more or less, and being subject to all easements, restrictions, and rights-of-way (if any) of previous record.

Basis of bearing is the easterly right-of-way lines being, N 14° 44' 26" E, as shown upon the dedication of Woodbrook Lane Plat of record in Plat Book 35 page 45, at the Franklin County Recorder's Office, Franklin County, Ohio.

Excepting therefrom the Tract I and II descriptions is 0.255 acre of Eakin Road Right-Of-Way .

To Rezone From: M-2, Manufacturing 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.