



Legislation Details (With Text)

File #: 0530-2015 **Version:** 4

Type: Ordinance **Status:** Passed

File created: 2/12/2015 **In control:** Zoning Committee

On agenda: 3/9/2015 **Final action:** 3/11/2015

Title: To grant a Variance from the provisions of Section 3353.03, C-2, permitted uses, of the Columbus City Codes; for the property located at 7860 SMOKEY ROW ROAD (43065), to permit a self-storage facility in the C-2, Commercial District and to repeal Ord. No. 1047-91; passed May 3,1991 (Council Variance # CV14-036).

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD 0530-2015 attachments.pdf, 2. ORD 0530-2015 Datasheet.pdf, 3. Notice Of Public Hearing - Council Mtg20150309

Date	Ver.	Action By	Action	Result
3/11/2015	4	CITY CLERK	Attest	
3/10/2015	4	MAYOR	Signed	
3/9/2015	4	COUNCIL PRESIDENT	Signed	
3/9/2015	1	Zoning Committee	Amended as submitted to the Clerk	Pass
3/9/2015	1	Zoning Committee	Amended as submitted to the Clerk	Pass
3/9/2015	1	Zoning Committee	Amended to Emergency	Pass
3/9/2015	1	Zoning Committee	Reconsidered	Pass
3/9/2015	1	Zoning Committee	Approved as Amended	Pass
3/2/2015	1	Columbus City Council	Read for the First Time	

Council Variance Application: CV14-036

APPLICANT: The Ellis Company; c/o Jeffrey L. Brown, Attorney; Smith & Hale LLC; 37 West Broad Street, Suite 460; Columbus, Ohio 43215.

PROPOSED USE: Self-storage facility.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The applicant has received a recommendation of approval from Staff and the Development Commission for a concurrent rezoning (Ord. No. 0529-2015; Z14-031) to the C-2, Commercial District. The applicant proposes to demolish the existing car wash and self-storage facility and develop a new self-storage facility on site. The existing self-storage facility was established by Ord. No. 1047-91 (CV89-0078), passed May 13,1991. This request will replace that development with an expanded facility with commitments to a site plan and elevation drawings, including a 20-25 foot buffer area along the north and east property lines in consideration of the adjacent residential development.

To grant a Variance from the provisions of Section 3353.03, C-2, permitted uses, of the Columbus City Codes; for the property located at **7860 SMOKEY ROW ROAD (43065)**, to permit a self-storage facility in the C-2, Commercial District and to repeal Ord. No. 1047-91; passed May 3, 1991 **and to declare an emergency** (Council Variance # CV14-036).

WHEREAS, by application No. CV14-036, the owner of property at **7860 SMOKEY ROW ROAD (43065)**, is requesting a Council Variance to allow a self-storage facility in the C-2, Commercial District; and

WHEREAS, Section 3353.03, C-2, permitted uses, permits offices, while the applicant proposes to allow a self-storage facility as a permitted use; and

WHEREAS, City Departments recommend approval because the requested variance will allow development with an expanded facility with commitments to a site plan and elevation drawings, including a 20-25 foot buffer area along the north and east property lines in consideration of the adjacent residential development. The proposed development is consistent with the established development pattern; and

WHEREAS, said ordinance requires separate submission for all applicable permits and 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 **7860 SMOKEY ROW ROAD (43065)**, in using said property as desired; and

WHEREAS, an emergency exists in the usual daily operation in the City of Columbus in that it is immediately necessary to pass this ordinance to begin construction as soon as possible for the immediate preservation of the public peace, property, health and safety; now, therefore:

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

SECTION 1. That a variance from the provisions of Section 3353.03, C-2, permitted uses, of the Columbus City Codes, is hereby granted for the property located at **7860 SMOKEY ROW ROAD (43065)**, insofar as said section prohibits a self-storage facility in the C-2, Commercial District; said property being more particularly described as follows:

7860 SMOKEY ROW ROAD (43065), being 3.3± acres located on the east side of Smokey Row Road, 540± feet north of Hard Road, and being more particularly described as follows:

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

Being in Section 1, Township 2, Range 19, United States Military Lands, being part of Lots 15 and 24 as shown on the recorded plat of Flavel Tuller's Survey, of record in Plat Book 3, Page 60 in the Recorder's Office, Franklin County, Ohio and being out of that 101.094 acre tract of land referred to as Parcel 10 and described in Deed Book 3285, Page 395, Recorder's Office, Franklin County, Ohio, being more particularly described as follows:

Commencing at the intersection of the Centerline of Smoky Row Road and Hard Road; thence N 12 deg. 50' 34" W,

along the Centerline of Smoky Row Road a distance of 570.00 feet to a point; thence N 77 deg. 09' 26" E, a distance of 40.00 feet to a point on the Northeasterly line of Smoky Row Road, said point also being the point of beginning; thence N 12 deg. 50' 34" W, along the Northeasterly line of Smoky Row Road a distance of 60.00 feet to a point; thence N 77 deg. 09' 26" E, along a line running along the Southeast Line of Reserve Lot "A" in the plat of Woodbridge Green, Section One as recorded in Plat Book 55, Page 47, Franklin County Records a distance of 450.00 feet to a point; thence S 72 deg. 11' 10" E, along the Southwesterly Line of said Reserve Lot "A" a distance of 347.13 feet to the Southeast Corner of said Reserve Lot "A" thence S 00 deg. 10' 04" E, along the West Line of Lots 12, 11, 10 and 9 of said Woodbridge Green Section One a distance of 265.00 feet to a point; thence S 89 deg. 49' 56" W, a distance of 175.00 feet to a point; thence N 00 deg. 10' 04" W, a distance of 116.21 feet to a point; thence S 89 deg. 49' 56" W, a distance of 358.98 feet to a point; thence N 12 deg. 50' 34" W, a distance of 145.00 feet to a point; thence S 77 deg. 09' 26" W, a distance of 195.00 feet to the point of BEGINNING, containing 3.308 acres of land more or less.

SECTION 2. That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for a self-storage facility or those uses permitted in the C-2, Commercial District.

SECTION 3. That this ordinance is further conditioned on the Subject Site being developed in general conformance with the Plans titled, "CARDINAL SELF STORAGE - SMOKY ROW PROPOSED SITE LAYOUT PLAN," and "CARDINAL SELF STORAGE SMOKY ROW ROAD ELEVATIONS," both dated January 29, 2015, and signed by Jeffrey L. Brown, Attorney for the Applicant. The plans may be slightly adjusted to reflect engineering, topographical, or other site data developed at the time of the development and when engineering and architectural drawings are completed. Any slight adjustments to the plans shall be subject to review and approval by the Director of the Department of Building and Zoning Services, or a designee, upon submission of the appropriate data regarding the proposed adjustment.

SECTION 4. That this ordinance is further conditioned on the applicant obtaining all applicable permits and a Certificate of Occupancy for the proposed use.

SECTION 5. That Ord. No 1047-91; passed May 3, 1991 is hereby repealed.

SECTION 6. ~~That this ordinance shall take effect and be in force from and after the earliest period allowed by law.~~ **That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or 10 days after its passage if the Mayor neither approves nor vetoes the same.**