



Legislation Details (With Text)

File #: 0613-2011 **Version:** 1
Type: Ordinance **Status:** Passed
File created: 4/11/2011 **In control:** Zoning Committee
On agenda: 5/16/2011 **Final action:** 5/18/2011
Title: To grant a Variance from the provisions of Section 3333.16, Fronting, of the Columbus City Codes for property located at 104 LAURISTON LANE (43235), to permit multi-unit residential development without frontage on a public right-of-way in conjunction with rezoning Z08-046. (CV10-041) (REPEALED BY ORD. 1411-2018; PASSED 6/4/2018)

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD0613-2011attachments.pdf, 2. CV10-041.pdf, 3. Notice Of Public Hearing - Council Mtg.pdf

Date	Ver.	Action By	Action	Result
5/18/2011	1	CITY CLERK	Attest	
5/17/2011	1	MAYOR	Signed	
5/16/2011	1	Zoning Committee	Approved	Pass
5/16/2011	1	COUNCIL PRESIDENT	Signed	
5/9/2011	1	Columbus City Council	Read for the First Time	
4/29/2011	1	Building and Zoning Drafter	Sent to Clerk's Office for Council	
4/19/2011	1	Building and Zoning Drafter	Sent for Approval	
4/19/2011	1	BUILDING ZONING DIRECTOR	Reviewed and Approved	
4/18/2011	1	Building and Zoning Reviewer	Reviewed and Approved	
4/11/2011	1	Building and Zoning Drafter	Sent for Approval	

APPLICANT: Chemlawn Commercial LLC; c/o Jeffrey L. Brown, Atty.; Smith and Hale; 37 West Broad Street, Suite 725; Columbus, OH 43215.

PROPOSED USE: Multi-unit residential development.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The applicant requests this Council variance concurrent with rezoning application Z08-046 to allow a multiple-unit development without frontage on a public street. The multi-unit dwellings will be served by private streets. Staff views this as a minor technicality and finds that this variance will cause no negative impact on the surrounding properties.

To grant a Variance from the provisions of Section 3333.16, Fronting, of the Columbus City Codes for property located at **104 LAURISTON LANE (43235)**, to permit multi-unit residential development without frontage on a public right-of-way in conjunction with rezoning Z08-046. (CV10-041) **(REPEALED BY ORD. 1411-2018; PASSED 6/4/2018)**

WHEREAS, by application No. CV10-041, the owner of property at **104 LAURISTON LANE (43235)**, is requesting a Council variance allow a multiple-unit development without frontage on a public street in conjunction with rezoning application Z08-046 to

rezone this site from the L-AR-12, Limited Apartment District to the L-AR-12, Limited Apartment District; and

WHEREAS, Section 3333.16, Fronting, requires each dwelling to front on a public street, while the applicant the applicant requests to allow a multiple-unit development without frontage on a public street. The multi-unit dwellings will be served by private streets; and

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

WHEREAS, the City Departments recommend approval because Staff views this as a minor technicality and finds that this variance will cause no negative impact on the surrounding properties; and

WHEREAS, the granting of said variance will not impair an adequate supply of light and air to adjacent property, unreasonably increase the congestion of public streets, increase the danger of fires, endanger the public safety, unreasonably diminish or impair established property values within the surrounding area, or in any other respect impair the public health, safety, comfort, morals, or welfare of the inhabitants of the city; and

WHEREAS, the granting of said variance will alleviate the difficulties encountered by the owner of the property located at **104 LAURISTON LANE (43235)**, in using said property as desired; and

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

Section 1. That a variance from the provisions of Section 3333.16, Fronting, of the Columbus City Codes for property located at **104 LAURISTON LANE (43235)**,), insofar as said sections prohibit multiple-unit development without frontage on a public street; said property being more particularly described as follows:

2.5 ACRES

Situated in the State of Ohio, County of Franklin, City of Columbus, located in Quarter Township 2, Township 2, Range 18, United States Military Lands, being out of that 19.658 acre tract conveyed to Traditions at Highbluffs, LLC by deed of record in Instrument Number 200503170049255 (all references refer to the records of the Recorder's Office, Franklin County, Ohio), and being described as follows:

Beginning, for reference, at the centerline intersection of Lazelle Road and High Street (U.S. Route 23);

thence South 03° 03' 48" East, with the centerline of said High Street, a distance of 48.58 feet to a point;

thence South 86° 56' 12" West, across the right-of-way of said High Street, a distance of 75.99 feet to a point in the southerly right-of-way line of said Lazelle Road;

thence South 83° 43' 29" West, with the northerly line of that 1.127 acre tract conveyed to Tim Donut U.S. Limited, Inc., by deed of record in Instrument Number 200706140104131, the southerly right-of-way line of said Lazelle Road, a distance of 231.47 feet to the westerly terminus of said southerly right-of-way line of said Lazelle Road;

thence North 06° 16' 31" West, with the westerly terminus of said Lazelle Road, a distance of 90.00 feet to a point at a northeasterly corner of said 19.658;

thence South 83° 43' 29" with the northerly line of said 19.658 acre tract, a distance of 455.88 feet to the TRUE POINT OF BEGINNING;

thence across said 19.658 acre tract, the following courses and distances:

thence South 02° 52' 01" East, across said 19.658 acre tract, a distance of 470.59 feet to a point;

thence South 87° 07' 59" West, continuing across said 19.658 acre tract, a distance of 240.00 feet to a point in the westerly line of said 19.658 acre tract;

thence North 02° 52' 01" West, with the westerly line of said 19.658 acre tract, a distance of 456.29 feet to a point;

thence North 83° 43' 29" East, with the northerly line of said 19.658 acre tract, a distance of 240.43 feet to the TRUE POINT OF BEGINNING, and containing 2.5 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 those uses permitted in the L-AR-12 Limited Apartment Residential District in Z08-046.

Section 3. That this ordinance is further conditioned on 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.