



## Legislation Details (With Text)

**File #:** 2027-2013      **Version:** 2

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

**File created:** 8/19/2013      **In control:** Zoning Committee

**On agenda:** 9/9/2013      **Final action:** 9/13/2013

**Title:** To rezone 5690 SUNBURY ROAD (43230), being 10.9± acres located on the east side of Sunbury Road, 574± feet north of Woodstream Drive, From: LRR, Limited Rural Residential District District, To: L-SR, Limited Suburban Residential District (Rezoning # Z13-036).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD#2027 AttachmentsAmrned, 2. ORD#2027.Attachments, 3. Notice Of Public Hearing - Council Mtg20130909

Date	Ver.	Action By	Action	Result
9/13/2013	2	CITY CLERK	Attest	
9/13/2013	2	MAYOR	Signed	
9/9/2013	2	COUNCIL PRESIDENT	Signed	
9/9/2013	1	Zoning Committee	Waive the 2nd Reading	Pass
9/9/2013	1	Zoning Committee	Amended as submitted to the Clerk	Pass
9/9/2013	1	Zoning Committee	Approved as Amended	Pass

### Rezoning Application Z13-036

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

**PROPOSED USE:** Single-unit residential development.

**DEVELOPMENT COMMISSION RECOMMENDATION:** Approval (4-1) on August 8, 2013.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The requested L-SR, Limited Suburban Residential District will secure proper zoning for a single-unit residential development. The site is located within the planning area of the *Northland Plan Volume II* (2002), which recommends infill development that is compatible with surrounding land uses. The request is consistent with the land use recommendations of the *Northland Plan Volume II* (2002), and the established zoning and development pattern of the area.

To rezone **5690 SUNBURY ROAD (43230)**, being 10.9± acres located on the east side of Sunbury Road, 574± feet north of Woodstream Drive, **From:** LRR, Limited Rural Residential District District, **To:** L-SR, Limited Suburban Residential District (Rezoning # Z13-036).

**WHEREAS**, application #Z13-036 is on file with the Department of Building and Zoning Services requesting rezoning

of 10.9± acres from: LRR, Limited Rural Residential District, to L-SR, Limited Suburban Residential 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 requested L-SR, Limited Suburban Residential District that is consistent with the land use recommendations of the *Northland Plan Volume II*, and the established zoning and development pattern of the area; 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:

**PARCEL "A" - 9.906 ACRES**

Situated in the State of Ohio, County of Franklin, City of Columbus, being in Section 4, Township 2, Range 17, United States Military Lands, containing 9.906 acres, more or less, being part of that 118.17 acre tract conveyed to Roger H. McDannald by deed of record in Deed Book 1275, Page 527 (all references to Deed Books and Official Records in this description refer to the records of the Recorder's Office, Franklin County, Ohio), said 9.906 acres being more particularly described as follows:

Beginning at a P.K. nail located in the centerline of Sunbury Road (60' R.O.W.), as said nail being the northwesterly corner of that 0.876 acre Parcels I, II, and III tract conveyed to Charles E. Smith by deed of record in Official Record 03100 D-20, said nail also being the TRUE POINT OF BEGINNING of the herein described tract;

Thence, northeasterly with the centerline of said Sunbury Road, N 42 deg. 19' 42" E, 123.05 feet to a railroad spike;

Thence easterly, parallel with and 288.70 feet northerly from (as measured at right angles) the southerly line of said 118.17 acre tract, S 89 deg. 36' E, 651.25 feet, passing an iron pipe set in the easterly right-of-way of said Sunbury Road at 40.32 feet to an iron pipe;

Thence, northerly perpendicular to the south line of said 118.17 acre tract, N 0 deg. 24' E, 75.00 feet to an iron pipe;

Thence easterly, parallel with and 363.70 feet northerly from (as measured at right angles) the south line of said 118.17 acre tract, S 89 deg. 36' E, 100.00 feet to an iron pipe;

Thence easterly, S 85 deg. 54' 16" E, 535.63 feet, passing an iron pipe set on line at 402.89 feet to a point in the center of BIG WALNUT CREEK;

Thence, southerly with the center of said BIG WALNUT CREEK, S 22 deg. 20' 56" E, 356.94 feet to a point in the south line of said 118.17 acre tract;

Thence, westerly with the south line of said 118.17 acre tract and the north line of that 19.888 acre tract conveyed to the Trustees of the University of Massachusetts by deed of record in Deed Book 2078, Page 591, N 89 deg. 36' W, 1,378.26 feet, passing an iron pipe found on line at 110.00 feet to an iron pipe at the southeasterly corner of said 0.876 acre tract;

Thence, northerly with the east line of said 0.876 acre tract, N 0 deg. 24' E, 144.88 feet to an iron pipe;

Thence, westerly along the line of a circular curve to the right, the northerly line of said 0.876 acre tract, a distance of 140.79 feet, whose radius is 205.00 feet, whose delta is 39 deg. 20' 59", and whose chord bears N 67 deg. 20' 47" W, 138.04 feet to the TRUE POINT OF BEGINNING, containing 9.906 acres, more or less, but subject to all easements, highways and restrictions of previous records;

The foregoing description was prepared from an actual field survey of the premises by S. D. POMEROY AND ASSOCIATES, INC., CONSULTING ENGINEERS AND SURVEYORS, WORTHINGTON, OHIO.

**PARCEL "B" - 1.063 ACRES**

Situated in the State of Ohio, County of Franklin, City of Columbus, being in Section 4, Township 2, Range 17, United States Military Lands, containing 1.063 acres, more or less, being part of that 118.17 acre tract conveyed to Roger H. McDannald by deed of record in Deed Book 1275, Page 527 (all references to Deed Books and Official Records in this description refer to the records of the Recorder's Office, Franklin County, Ohio), said 1.063 acres being more particularly described as follows:

Beginning at a railroad spike in the centerline of SUNBURY ROAD (60' R.O.W.), said spike being, N 42 deg. 19' 42" E, 123.05 feet from a P.K. nail found at the northwesterly corner of that 0.876 acre (Parcels I, II, and III) tract conveyed to Charles E. Smith by deed of record in Official Record 03100 D-20, said spike being also the TRUE POINT OF BEGINNING of the herein described tract;

Thence, continuing northeasterly with the centerline of said SUNBURY ROAD, N 42 deg. 19' 42" E, 100.81 feet to a railroad spike;

Thence easterly, parallel with and 363.70 feet northerly from (as measured at right angles) the southerly line of said 118.17 acre tract, S 89 deg. 36' E, 583.89 feet, passing an iron pipe set in the easterly right-of-way of said SUNBURY ROAD at 40.32 feet to an iron pipe;

Thence, southerly perpendicular to the south line of said 118.17 acre tract, S 0 deg. 24' W, 75.00 feet to an iron pipe;

Thence westerly, parallel with and 288.70 feet northerly from (as measured at right angles) the south line of said 118.17 acre tract, N 69 deg. 36' W, 651.25 feet, passing an iron pipe in the easterly right-of-way line of said SUNBURY ROAD to the TRUE POINT OF BEGINNING, containing 1.063 acres, more or less, but subject to all easements, highways and restrictions of previous records;

The foregoing description was prepared from an actual field survey of the premises by S. D. POMEROY AND ASSOCIATES, INC., CONSULTING ENGINEERS AND SURVEYORS, WORTHINGTON, OHIO.

**To Rezone From:** LRR, Limited Rural Residential District

**To:** L-SR, Limited Suburban Residential District

**SECTION 2.** That a Height District of thirty-five (35) feet is hereby established on the L-SR, Limited Suburban Residential 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 and shall register a copy of the approved L-SR, Limited Suburban Residential District and Application among the records of the Department of Building and Zoning Services as required by Section 3370.03 of the Columbus City Codes; said text titled, "**LIMITATION TEXT**," signed by Jeffrey L. Brown, Attorney for the Applicant, dated August 19, 2013, and reading as follows:

**LIMITATION TEXT**

**PROPOSED DISTRICTS:** L-SR, Suburban Residential District

**PROPERTY ADDRESS:** 5690 Sunbury Road

**OWNER:** Dawn M. Osbourne Tr. et al.

**APPLICANT:** Canini & Associates

**DATE OF TEXT:** 8/19/13

**APPLICATION:** Z13-036

1. **INTRODUCTION:** The property is on the east side of Sunbury Road, 574± feet north of Woodstream Drive and backs up to Big Walnut. The property is 10.9± acres and contains one single family house. To the south and across Sunbury Road are two Columbus subdivisions and a residential outlot; and to the north is another single family house on a large tax parcel.

2. **PERMITTED USES:** Those uses permitted in Section 3332.029 SR, Suburban Residential District of the Columbus City Code.

3. **DEVELOPMENT STANDARDS:** Unless otherwise indicated in the text, the applicable development standards are contained in Chapter 3332, Residential Districts of the Columbus City Code.

A. Density, Height, Lot and/or Setback Requirements: N/A

B. Access, Loading, Parking and/or Traffic Related Commitments

1. If a southbound left turn lane, which design shall be reviewed and approved by the City of Columbus, Department of Public Service, is provided at the access to Sunbury Road, or if a two-way left turn lane is provided on Sunbury Road along the site's frontage, then the site shall have a full access point to Sunbury Road. Without a left turn lane on Sunbury Road, the access to the site shall be a right-in/right-out unless otherwise approved by the City of Columbus, Department of Public Service.

2. Upon construction of an access point to Sunbury Road, the developer shall make any necessary changes to the location of an existing guard rail and remove any weeds on its property or within the right-of-way north of the access to provide adequate sight distance for exiting vehicles at said access point to be able to properly see approaching southbound vehicles on Sunbury Road.

C. Buffering, Landscaping, Open Space and/or Screening Commitments

1. The developer shall install four street trees within the setback along Sunbury Road.

D. Building Design and/or Interior-Exterior Treatment Commitments: N/A

E. Dumpsters, Lighting, Outdoor Display Areas, and/or other Environmental Commitments

1. The existing trees within 20 feet of the south property line of the site shall be preserved subject to the removal of dead or diseased trees and the installation of utilities.

F. Graphics and Signage Commitments

1. All graphics and signage shall comply with the Graphics Code, Article 15, Title 33 of the Columbus City Code as it applies to the SR, Suburban Residential District and any variance to the sign requirements shall be submitted to the Columbus Graphics Commission for its consideration.

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