



## Legislation Details (With Text)

**File #:** 1827-2022      **Version:** 1

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

**File created:** 6/21/2022      **In control:** Zoning Committee

**On agenda:** 7/18/2022      **Final action:** 7/20/2022

**Title:** To grant a Variance from the provisions of Sections 3332.03, R-1 residential district; and 3312.49(C), Minimum numbers of parking spaces required, of the Columbus City Codes; for the property located at 2859 INNIS RD. (43224), to permit a shared living facility and parking of a food truck with reduced parking in the R-1, Residential District, and to repeal Ordinance #1329-96, passed July 15, 1996 (Council Variance #CV19-135).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD1827-2022\_Attachments, 2. ORD1827-2022\_Labels

Date	Ver.	Action By	Action	Result
7/20/2022	1	CITY CLERK	Attest	
7/19/2022	1	MAYOR	Signed	
7/18/2022	1	COUNCIL PRESIDENT	Signed	
7/18/2022	1	Zoning Committee	Accept entire staff report into evidence as an exhibit	Pass
7/18/2022	1	Zoning Committee	Adopt the findings of staff as the findings of Council	Pass
7/18/2022	1	Zoning Committee	Approved	Pass
7/11/2022	1	Columbus City Council	Read for the First Time	

**Council Variance Application: CV19-135**

**APPLICANT:** Teen Challenge for Girls, Inc.; c/o Mark R. Denny, Agent; 1675 Gateway Circle; Grove City, OH 43123.

**PROPOSED USE:** Shared living facility expansion.

**NORTHEAST AREA COMMISSION RECOMMENDATION:** Approval.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The site consists of one parcel developed with a shared living facility established by Ordinance #1329-96 (CV96-007) in the R-1, Residential District. A new Council variance is required for a proposed building and garage that will provide space for their programming needs, and to permit parking for a food truck associated with fundraising efforts for the facility. Additionally, the request includes a parking reduction from 37 required spaces to 24 provided spaces. The site lies within the planning boundaries of the *Northeast Area Plan* (2007), which recommends institutional land uses at this location. The request will allow an existing shared living facility to expand as shown on the submitted site plan, and does not add an incompatible use to the neighborhood.

To grant a Variance from the provisions of Sections 3332.03, R-1 residential district; and 3312.49(C), Minimum numbers

of parking spaces required, of the Columbus City Codes; for the property located at **2859 INNIS RD. (43224)**, to permit a shared living facility and parking of a food truck with reduced parking in the R-1, Residential District, and to repeal Ordinance #1329-96, passed July 15, 1996 (Council Variance #CV19-135).

**WHEREAS**, by application #CV19-135, the owner of the property at **2859 INNIS RD. (43224)**, is requesting a Variance to permit a shared living facility and parking of a food truck with reduced parking in the R-1, Residential District; and

**WHEREAS**, Section 3332.03, R-1 residential district, does not permit a shared living facility or food truck parking, while the applicant proposes an expansion to the existing shared living facility and to park a food truck on the property; and

**WHEREAS**, Section 3312.49 Minimum numbers of parking spaces required, requires 1 parking space per 400 square feet for a shared living facility, while the applicant proposes reduced parking from 37 spaces to 24 spaces; and

**WHEREAS**, the Northeast Area Commission recommends approval; and

**WHEREAS**, City Departments recommend approval of the requested Council variance because the request will permit expansion of existing shared living facility, and does not add incompatible uses to the neighborhood; and

**WHEREAS**, said 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 **2859 INNIS RD. (43224)**, in using said property as desired; now, therefore:

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

**SECTION 1.** That a variance is hereby granted from the provisions of Sections 3332.03, R-1 residential district; and 3312.49(C), Minimum numbers of parking spaces required, of the Columbus City Codes; for the property located at **2859 INNIS RD. (43224)**, insofar as said sections prohibit a shared living facility and food truck parking in the R-1, Residential District; with a reduction in required parking from 37 spaces to 24 spaces; said property being more particularly described as follows:

**2859 INNIS RD. (43224)**, being 10.11± acres located on the south side of Innis Road, 1,700± feet west of Sunbury Road, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin, City of Columbus, being located in Quarter Township 2, Township 1, Range 17, United States Military Lands and being a part of that tract of land as conveyed to Gary W. Pyle and Sharon M. Hixson by deed of record in Official Record 23286E16, all references being to records of the Recorder's office, Franklin County, Ohio and being more particularly described as follows:

Beginning at point in the centerline of Innis Road at the northwesterly corner of that 19.5 acre tract as conveyed to Thomas M. Schmidt by deed of record in Deed Book 3498, Page 528, said point also being the northeasterly corner of the tract herein intended to be described;

thence South 0° 25' 03" West, being along the westerly line of said 19.500 acre tract, a distance of 1277.50 feet to a point at the southwesterly corner of said 19.500 acre tract, said point also being in the northerly line of that 53.000 acre tract conveyed to Bridgeview Golf Course;

thence South 88° 58' 38" West, being along the northerly like of said Bridgeview Golf Course, a distance of 671.00 feet to a point at the southeasterly corner of that 1.636 acre tract as conveyed to Roger Van Bibber by deed of record in Deed Book 3271, Page 679;

thence North 0° 13' 29" East, being along the easterly line of said 1.636 acre tract, a distance of 229.04 feet to a point at the southwesterly corner of that 3.707 acre tract as conveyed to Dolores E. Briggs;

thence South 89° 59' 51" East, being along the southerly line of said Dolores E. Briggs tract, a distance of 480.00 feet to a point at the southeasterly corner of said tract;

thence North 13° 50' 03" West, being along the easterly line of said Dolores E. Briggs tract, a distance of 412.01 feet to a point at an angle point of said line;

thence North 0° 17' 00" East, continuing along the easterly line of said Dolores E Briggs tract, a distance of 660.23 feet to a point in the centerline of Innis Road at the northeasterly corner of said tract;

thence North 89° 58' 19" East, being along the centerline of Innis Road, a distance of 294.59 feet to the place of beginning, containing 10.11 acres of land, more or less.

Parcel Number: 010-146494

Parcel Address: 2859 Innis Rd., Columbus, OH 43224.

**SECTION 2.** That this ordinance is conditioned on and shall remain in effect only for so long as said property is used as a shared living facility and parking/storage for one food truck, or those uses permitted in the R-1, Residential District.

**SECTION 3.** That this ordinance is further conditioned on the Subject Site being developed in general conformance with the site plan titled "**SITE PLAN - VARIANCES**," dated June 14, 2022, and signed by Mark Denny, Applicant. The plan 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 plan 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 this ordinance shall take effect and be in force from and after the earliest period allowed by law.

**SECTION 6.** That Ordinance #1329-96, passed July 15, 1996, be and is hereby repealed.