



Legislation Details (With Text)

File #: 1927-2008 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 11/20/2008 **In control:** Zoning Committee

On agenda: 12/15/2008 **Final action:** 12/17/2008

Title: To grant a Variance from the provisions of Sections 3333.02, AR-12, ARLD and AR-1, apartment residential district use; 3333.22, Maximum side yard required; and 3333.23, Minimum side yard permitted, of the Columbus City Codes, for the property located at 1176 STEELWOOD ROAD (43212), to conform an existing driveway and parking lot serving M, manufacturing uses with reduced development standards in the AR-1, Apartment Residential District. (Council Variance #CV08-030)

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD # 1927-2008 Attachments.pdf, 2. ORD # 1927-2008 Mailing Labels.pdf, 3. ORD # 1927-2008 Data Form.pdf, 4. Notice Of Public Hearing - Council Mtg.pdf

| Date | Ver. | Action By | Action | Result |
|------------|------|-----------------------|------------------------------------|--------|
| 12/17/2008 | 1 | ACTING CITY CLERK | Attest | |
| 12/16/2008 | 1 | MAYOR | Signed | |
| 12/15/2008 | 1 | Zoning Committee | Approved | Pass |
| 12/15/2008 | 1 | COUNCIL PRESIDENT | Signed | |
| 12/8/2008 | 1 | Columbus City Council | Read for the First Time | |
| 11/25/2008 | 1 | DEVELOPMENT DIRECTOR | Reviewed and Approved | |
| 11/25/2008 | 1 | Dev Drafter | Sent to Clerk's Office for Council | |
| 11/24/2008 | 1 | Dev Zoning Reviewer | Reviewed and Approved | |
| 11/24/2008 | 1 | Dev Drafter | Sent for Approval | |
| 11/20/2008 | 1 | Dev Drafter | Sent for Approval | |

Council Variance Application: CV08-030

APPLICANT: Donald R. Kenney; c/o Jill Tangeman, Atty.; 52 East Gay Street; Columbus, Ohio 43215.

PROPOSED USE: Conform an existing driveway and parking lot serving a manufacturing use.

FIFTH BY NORTHWEST AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The site, zoned in the AR-1, Apartment Residential District, is developed with an existing driveway and parking lot that serve manufacturing uses, zoned in the M, Manufacturing District. The driveway and parking lot, serving non-residential uses, are not permitted uses in the AR-1 district. The applicant is requesting a council variance to conform the existing use. Approval of this request will not introduce a new or incompatible use into the area.

To grant a Variance from the provisions of Sections 3333.02, AR-12, ARLD and AR-1, apartment residential district use; 3333.22, Maximum side yard required; and 3333.23, Minimum side yard permitted, of the Columbus City Codes, for the property located at **1176 STEELWOOD ROAD (43212)**, to conform an existing driveway and parking lot serving M, manufacturing uses with reduced development standards in the AR-1, Apartment Residential District. (Council Variance #CV08-030)

WHEREAS, by application No. CV08-030, the owner of property at **1176 STEELWOOD ROAD (43212)**, is requesting a Council variance to conform an existing driveway and parking lot serving M, manufacturing uses with reduced development standards in the AR-1, Apartment Residential District; and

WHEREAS, Section 3333.02, AR-12, ARLD and AR-1 apartment residential district use, prohibits a driveway and a parking lot serving M, manufacturing uses, while the applicant proposes to maintain the existing driveway and parking lot on the site; and

WHEREAS, Section 3333.22, Maximum side yard required; requires the sum of the widths of each side yard shall equal or exceed twenty percent (20%) of the width of the lot, a total of 11 feet for the subject property, while the applicant proposes to maintain the existing maximum side yard of three (3) feet; and

WHEREAS, Section 3333.23, Minimum side yard permitted, requires a minimum side yard of five (5) feet, while the applicant proposes to maintain the existing side yards of zero (0) feet on the north side and three (3) feet on the south side of the site; and

WHEREAS, the Fifth by Northwest Area Commission recommends approval; and

WHEREAS, City Departments recommend approval because the proposed development will not introduce a new or incompatible use into the area; 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 **1176 STEELWOOD ROAD (43212)**, in using said property as desired; now, therefore:

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

SECTION 1. Variances from the provisions of Sections 3333.02, AR-12, ARLD and AR-1, apartment residential district use; 3333.22, Maximum side yard required; and 3333.23, Minimum side yard permitted, of the Columbus City Codes, for the property located at **1176 STEELWOOD ROAD (43212)**, insofar as said sections prohibit a driveway and a parking lot serving M, manufacturing uses, a maximum side yard of three (3) feet, a minimum north side yard of zero (0) feet, and a minimum south side yard of three (3) feet, said property being more particularly described as follows:

PARCEL DESCRIPTION FOR 1.160 ACRES
North of Chambers Road
East of Northwest Boulevard

Situated in the State of Ohio, County of Franklin, City of Columbus, Quarter Township 3, Township 1, Range 18, U.S.M.D., and being part of that 7.950 acre tract conveyed to Donald R. Kenney and Kenney Airport Hotel Corporation of record in Instrument Number 200506030107015 and described as follows:

Beginning at the southeast corner of said 7.950 acre tract, the same being the southwest corner of that 0.043 acre tract conveyed to The City of Columbus of record in Deed Book 3083, Page 545, in the north line of that 5.108 acre tract conveyed to John R. Greer of record in Instrument Number 200008100161008;

Thence **N 86° 16' 01" W**, with the south line of said 7.950 acre tract, **919.25 feet** to the southwest corner thereof, the same being the northwest corner of that 5.640 acre tract conveyed to John R. Greer of record in Official Record 6738J17, in the east line of Northwest Gardens as recorded in Plat Book 34, Page 97;

Thence **N 04° 07' 55" E**, with the west line of said 7.950 acre tract, **55.00 feet**;

Thence **S 86° 16' 01" E**, across said 7.950 acre tract, **918.78 feet** to an east line of said 7.950 acre tract, the same being the west line of said 0.043 acre tract;

Thence **S 03° 38' 29" W**, with an east line of said 7.950 acre tract, **55.00 feet** to the **Point of Beginning**. Containing **1.160 acres**, more or less. Subject, however, to all legal highways, easements, and restrictions. The above description was prepared by Advanced Civil Design, Inc. and is not for transfer.

Bearings are based on the Ohio State Plane Coordinate System, South Zone, NAD83 (1986 Adj.). All references used in this description can be found at the Recorder's Office, Franklin County, Ohio.

SECTION 2. That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for a driveway and parking lot serving M, manufacturing uses, or those uses permitted in the AR-1, Apartment Residential District.

SECTION 3. That this ordinance is further conditioned that the variances to Sections 3333.22 and 3333.23 only apply if the property is used for a driveway and parking lot serving M, manufacturing uses.

SECTION 4. That this ordinance is further conditioned that no buildings or structures shall be placed on the site.

SECTION 5. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.