



Legislation Details (With Text)

File #: 1068-2007 **Version:** 2
Type: Ordinance **Status:** Passed
File created: 6/22/2007 **In control:** Zoning Committee
On agenda: 7/30/2007 **Final action:** 8/2/2007

Title: To grant a Variance from the provisions of Sections 3332.03, R-1, Residential district, 3367.01 M-2 Manufacturing District; 3342.11, Landscaping; and 3342.19, Parking Space for the property located at 1179 STELZER ROAD (43219), to permit a parking lot for an airport with reduced development standards in the in the R-1, Residential and M-2 Manufacturing Districts. (Council Variance # CV07-014)

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD1068-2007.attchmnts.pdf, 2. ORD1068-2007lbs.pdf, 3. City Council Data Form_CV07-014.pdf

Date	Ver.	Action By	Action	Result
8/2/2007	2	CITY CLERK	Attest	
8/1/2007	2	MAYOR	Signed	
7/30/2007	1	Zoning Committee	Amended as submitted to the Clerk	Pass
7/30/2007	2	Zoning Committee	Approved	Pass
7/30/2007	2	COUNCIL PRESIDENT	Signed	
7/23/2007	1	Columbus City Council	Read for the First Time	
7/18/2007	1	City Clerk's Office	Sent back for Clarification/Correction	
7/18/2007	1	Dev Zoning Drafter	Sent to Clerk's Office for Council	
7/13/2007	1	City Clerk's Office	Sent back for Clarification/Correction	
7/13/2007	1	Dev Zoning Drafter	Sent to Clerk's Office for Council	
7/9/2007	1	Dev Zoning Drafter	Sent for Approval	
7/9/2007	1	DEVELOPMENT DIRECTOR	Reviewed and Approved	
7/9/2007	1	Dev Zoning Drafter	Sent to Clerk's Office for Council	
7/8/2007	1	Dev Reviewer	Reviewed and Approved	
7/6/2007	1	Dev Zoning Reviewer	Reviewed and Approved	
6/22/2007	1	Dev Zoning Drafter	Sent for Approval	

Council Variance Application: CV07-014

APPLICANT: Columbus Regional Airport Authority; c/o Michael T. Shannon, Atty.; Crabbe, Brown & James, LLP; 500 South Front Street, Suite 1200, Columbus, OH 43206.

PROPOSED USE: Parking lot development.

CITY DEPARTMENTS' RECOMMENDATION: Approval. This variance will permit a parking lot on vacant land in the R-1,

Residential and M-2, Manufacturing Districts. The Planning Division supports the application to permit this reduction of standards even though Staff finds no hardship to justify varying the landscaping commitment and the parking space width. The applicants have committed to addressing the landscaping in a rezoning to follow this application which has yet to be filed.

To grant a Variance from the provisions of Sections 3332.03, R-1, Residential district, 3367.01 M-2 Manufacturing District; 3342.11, Landscaping; and 3342.19, Parking Space for the property located at **1179 STELZER ROAD (43219)**, to permit a parking lot for an airport with reduced development standards in the in the R-1, Residential and M-2 Manufacturing Districts. (Council Variance # CV07-014)

WHEREAS, by application #CV07-014 the owner of property at **1179 STELZER ROAD (43219)**, is requesting a Council Variance for a parking lot in the R-1, Residential, M-1 and M-2 Manufacturing Districts; and

WHEREAS, Section 3332.03, R-1, Residential District, prohibits parking lot development; and

WHEREAS, Section 3367.01, M-2, Manufacturing District, prohibits parking lot development; and

WHEREAS, Section 3342.11, Landscaping, requires one shade tree on the interior of a parking lot for each ten parking spaces, while the applicants propose to have no landscaping on the interior of the parking lot(s); and

WHEREAS, Section 3342.19, Parking Space, requires parking spaces to have a minimum width of nine (9) feet, while the applicants proposes a minimum width of 8.5 feet for parking spaces; and

WHEREAS, the Planning Division supports the application to allow the use and permit the reduction of standards varying the landscaping requirement and the parking space width; and

WHEREAS, the applicants have committed to addressing the landscaping in a rezoning to follow this application which has yet to be filed; and

WHEREAS, the site plan included with this ordinance is for conceptual purposes only; 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 **1179 STELZER ROAD (43219)**, in using said property as desired; now, therefore:

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

SECTION 1. That a variance from the provisions of Sections 3332.033, R-1, Residential District; 3367.01, M-2, Manufacturing District; 3342.11, Landscaping; and 3342.19, Parking Space of the Columbus City Codes for the property located at **1179 STELZER ROAD (43219)**, insofar as said sections prohibit parking lots without trees in the interior and with parking spaces only 8.5 feet wide, said property being more particularly described as follows:

1179 STELZER ROAD (43219), being ~~56.5± acres~~ **26.156± acres** located at the northwest corner of East Seventeenth Avenue and Stelzer Road, and being more particularly described as follows:

DESCRIPTION OF A

**56.499 ACRE TRACT
(PORT COLUMBUS)**

Situate in the State of Ohio, County of Franklin, City of Columbus, lying in Quarter Township 3, Township 1, Range 17, United States Military District, and being part of the original 230 acre tract owned by the United States of America as described in the "JUDGEMENT ON DECLARATION OF TAKING" document Civil No. 5426, filed of record in Deed Book 2140, Page 381, records of the Recorder's Office, Franklin County, Ohio and being more particularly described as follows;

Beginning, at an iron pin found at the southwest corner of Block "P", as shown and delineated on the subdivision plat of "ELMHURST EXTENSION" of record in Plat Book 19, Page 35 at the intersection of the easterly right of way line of Ethel Avenue (50 feet in width) and the northerly right of way line of Seventeenth Avenue (50 feet in width) widened to 80 feet in Road Record Book 16, Page 233;

Thence North 04E25'47" East, a distance of 723.05 feet, along the easterly right of way line of said Ethel Avenue and its extension to an iron pin found in the northerly right of way line of Nineteenth Avenue, being the southerly line of a 1.36 acre (Tract 1) conveyed to the State of Ohio by deed of record in Official Record 05941, Page G05, and being the Limited Access right of way Line of International Gateway (Airport Road) as shown and delineated on the State of Department of Transportation right of way plans FRA-670-3.93-AA;

Thence South 86E18'02" East, a distance of 218.73 feet, along the said northerly right of way line of Nineteenth Avenue and said Limited Access right of way line to an iron pin found, being 96.88 feet right of centerline station 89+49.33, said iron pin also being the southeasterly corner of the 2.334 acre (Tract 2) conveyed to the State of Ohio by deed of record in Official Record 05941, Page G05;

Thence North 03E23'45" East, a distance of 375.34 feet, along the easterly line of said 2.334 acre tract, to an iron pin set, being 258.80 feet left of centerline station 88+44.93, being the common corner of said original 230 acre tract and a 1.790 acre tract conveyed to the State of Ohio, said iron pin being in the centerline of vacated Robbins Road (Case No. 89-CV-01-182, dated 4-5-89);

Thence South 86E03'46" East, a distance of 2114.88 feet, along the southerly lines of said 1.790 acre tract, the original 2.185 acre tract, 3 acre tract, and the 8 acre tract conveyed to Reywal Company Limited Partnership by Affidavit of record in Instrument Number 199710030110364, a line common to the centerline of vacated Robbins Road, passing the northerly Limited Access right of way line of said International Gateway (Airport Road) at 352.58 feet, to a railroad spike set in the centerline of Stelzer Road;

Thence South 04E27'11" West, a distance of 1085.97 feet, along the said centerline of Stelzer Road, to a railroad Spike set, at the intersection of said Stelzer Road and the northerly right of way line of said Seventeenth Avenue;

Thence North 86E23'28" West, a distance of 2326.54 feet, along the said northerly right of way line of Seventeenth Avenue, to the **Point of Beginning**, containing 56.499 acres, more or less, (with 18.570 acres in International Gateway, 2.033 acres in Stelzer Road and Seventeenth Ave. and 5.762 acres in unimproved Streets and alleys leaving a net of 30.134 acres more or less.) Being subject to all easements, restrictions and rights of way of International Gateway, a portion of Stelzer Road and Seventeenth Ave. and the unimproved streets of Eighteenth Ave., Rigdon Ave., Sterling Ave., Lincoln Street, and unimproved alleys.

The bearings in the above description were based on the bearing of South 85E33'07" East for the centerline of International Gateway (Airport Road) as shown on the State of Ohio Department of Transportation right of way Plans FRA-670-3.93-AA.

All iron pins set are 3/4 inch iron pipes, 30 inches in length with a yellow cap bearing the name of "R.D. ZANDE".

R.D. ZANDE & ASSOCIATES, INC.

DESCRIPTION OF

COLUMBUS MUNICIPAL AIRPORT AUTHORITY

SEVENTEENTH AVENUE

FRANKLIN COUNTY, OHIO

CONTAINING 26.156 ACRES

JULY 11, 2007

Situate in Section Qtr. Twp. 3, Township 1 North, Range 17 West, U.S.M.L., City of Columbus, County of Franklin, State of Ohio, and being part of a 128.640 acre tract of land as conveyed to Columbus Municipal Airport Authority by deed recorded in Instrument Number 200603240055098 (all references to deeds, microfiche, plats, surveys, etc. refer to the records of the Franklin County Recorders Office, unless noted otherwise) and being more particularly bounded and described as follows:

Beginning at the intersection of the south limited access right of way line of Airport Road with the west right of way line of Stelzer Road;

thence along the west right of way line of said Stelzer Road South four degrees twenty-seven minutes eleven seconds West (S04°27'11"W) for a distance of three hundred ninety-one and 05/100 feet (391.05') to a point;

thence continuing along said line South forty-nine degrees one minute fifty-nine seconds West (S49°01'59"W) for a distance of eighty-five and 47/100 feet (85.47') to a point on the north right of way line of Seventeenth Avenue;

thence along said line North eighty-six degrees twenty-three minutes thirteen seconds West (N86°23'13"W) for a distance of three hundred five and 88/100 feet (305.88') to a point;

thence continuing along said line South three degrees thirty-six minutes forty-seven seconds West (S03°36'47"W) for a distance of twenty and 00/100 feet (20.00') to a point;

thence continuing along said line North eighty-six degrees twenty-three minutes thirteen seconds West (N86°23'13"W) for a distance of one thousand three hundred thirty-two and 18/100 feet (1,332.18') to a point on the east right of way line of Sterling Avenue (unimproved) and the east line of Elmhurst Extension as recorded in Plat Book 19, page 35 said point also being on the corporation line between City of Columbus and Mifflin Township;

thence along said lines North four degrees twenty-six minutes two seconds East (N04°26'02"E) for a distance of seven hundred four and 59/100 feet (704.59') to a point on the south limited access right of way line of said Airport Road;

thence continuing along said line for the following four (4) courses:

South eighty-five degrees thirty-three minutes seven seconds East (S85°33'07"E) for a distance of six hundred five and 75/100 feet (605.75') to a point;

South eighty-three degrees thirty-two minutes fifty-three seconds East (S83°32'53"E) for a distance of five hundred seventy-one and 93/100 feet (571.93') to a point;

South eighty-five degrees thirty-three minutes seven seconds East (S85°33'07"E) for a distance of four hundred eight and 13/100 feet (408.13') to a point;

South twenty-six degrees eighteen minutes twenty-five seconds East (S26°18'25"E) for a distance of two hundred nineteen and 69/100 feet (219.69') to the POINT OF BEGINNING, containing 26.156 acres, more or less, subject however to all covenants, conditions, restrictions, reservations and easements contained in any instrument of record pertaining to the above described tract of land.

This description was prepared from a field survey performed by Woolpert, Inc., in December, 2006, with bearings based upon the Ohio State Plane Coordinate System, South Zone NAD83 (1995).

WOOLPERT, INC.

Steven W. Newell
Ohio Professional Surveyor #7212

Section 2. That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for a parking lot or those uses permitted in the P-2, Parking District.

Section 3. The variances will expire one year after the effective date of this ordinance.

Section 4. That the applicants will file a rezoning for the subject property and any adjacent properties owned and /or operated by the applicant for parking with the City of Columbus and shall diligently pursue such rezoning(s) and have said rezoning (s) delivered to Columbus City Council for scheduling within ten (10) months from the effective date of this ordinance.

Section 5. That this ordinance is further conditioned on the applicant obtaining all applicable permits for the proposed use.

Section 6. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.