



## Legislation Details (With Text)

**File #:** 2099-2012      **Version:** 1

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

**File created:** 9/19/2012      **In control:** Zoning Committee

**On agenda:** 10/22/2012      **Final action:** 10/24/2012

**Title:** To grant a Variance from the provisions of Sections 3367.01, M-2, Manufacturing district, and 3312.49, Minimum numbers of parking spaces required, of the Columbus City Codes for the property located at 255 TAYLOR STATION ROAD (43213), to allow religious services in an existing building with reduced parking in the M-2, Manufacturing District. (Council Variance #CV12-035)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD2099-2012attachments, 2. Notice Of Public Hearing - Council Mtg20121022

Date	Ver.	Action By	Action	Result
10/24/2012	1	CITY CLERK	Attest	
10/23/2012	1	MAYOR	Signed	
10/22/2012	1	COUNCIL PRESIDENT	Signed	
10/22/2012	1	Zoning Committee	Approved	Pass
10/15/2012	1	Columbus City Council	Read for the First Time	

**Council Variance Application: CV12-035**

**APPLICANT:** Eastside Community Church; c/o James B. Wootton; 8405 Pulsar Place; Suite 157; Columbus, OH 43240.

**PROPOSED USE:** Religious services and accessory uses in the M-2, Manufacturing District.

**FAR EAST AREA COMMISSION RECOMMENDATION:** Approval.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The applicant seeks a Council variance to conduct church services in an existing office building in the M-2, Manufacturing District as well as having accessory church related office and classroom uses. The applicant also seeks a parking variance from 122 to 54 parking spaces. The proposed religious uses are not out of character for the office park and the religious uses would occur on Sunday when the office park is largely unused. Therefore Staff is not concerned about reduced parking and finds the use to be appropriate and compatible with the area.

To grant a Variance from the provisions of Sections 3367.01, M-2, Manufacturing district, and 3312.49, Minimum numbers of parking spaces required, of the Columbus City Codes for the property located at **255 TAYLOR STATION ROAD (43213)**, to allow religious services in an existing building with reduced parking in the M-2, Manufacturing

District. (Council Variance #CV12-035)

**WHEREAS**, by application No. CV12-035 the owner of property at **255 TAYLOR STATION ROAD (43213)**, is requesting a Council Variance to allow religious services and accessory church-related office and classroom uses in an existing building with reduced parking in the M-2, Manufacturing District; and

**WHEREAS**, Section 3367.01, M-2, Manufacturing District, prohibits religious uses, while the applicant proposes to use an existing office building in the M-2, Manufacturing District for religious services and accessory office and classroom uses; and

**WHEREAS**, Section 3312.49, Minimum numbers of parking spaces required, requires one (1) parking space for every 30 square feet of sanctuary or auditorium space for churches, or 80 spaces for a 2,400 square-foot sanctuary; one parking space for every 250 square feet of accessory church uses, or 17 spaces for 4,026 square feet; for a total parking requirement of 97 parking spaces for the church, in addition to 6,244 square feet on the second floor which is open for office use not associated with said church which would require 25 parking spaces, all resulting in a total parking requirement for 122 parking spaces, while the applicant proposes to maintain 54 parking spaces; and

**WHEREAS**, the Far East Area Commission recommends approval; and

**WHEREAS**, the City Departments recommend approval noting that the proposed religious uses are not out of character for the office park and that the religious uses would occur on Sunday when the office park is largely unused. Therefore Staff is not concerned about a lack of parking and finds the use to be appropriate and compatible with the area; 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 **255 TAYLOR STATION ROAD (43213)**, 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 3367.01, M-2, Manufacturing District and 3312.49, Minimum numbers of parking spaces required, of the Columbus City Codes are hereby granted for the property located at **255 TAYLOR STATION ROAD (43213)**, insofar as said section prohibits a church with accessory religious uses including classrooms and offices with a maximum sanctuary size of 2,400 square feet and up to 4,026 square feet of accessory religious office and classroom uses, with a reduction in the minimum number of parking spaces required from 122 to 54 spaces; said property being more particularly described as follows:

Exhibit A

Description of 1.365 Acres

Situated in the State of Ohio, County of Franklin, City of Columbus, being part of Quarter Township 3, Township 1, Range 18, United States Military Lands, being 1.365

acres out of Quarter Township 3, being a 1.365 acre tract of land that lies over and across a 2.206 acre tract of land described in a deed to Taylor Station Medical Partners Ltd. of record in Official Record Volume 28315, Page J1 0, and being more particularly described as follows;

COMMENCING for reference at the intersection of the centerline of Taylor Station Road and the centerline of Westbourne Avenue (formerly Relocated Morrison Road) as shown on the State of Ohio Department of Highway Plans FRA-207-30.32N and being on the easterly line of a 1.43 acre tract of land described in a deed to the State of Ohio of record in Deed Book 3237, Page 236 ;

Thence North 03°57'10" East with the centerline of said Taylor Station Road and the easterly line of said 1.43 acre tract, a distance of 50.00 feet to a point at the southeasterly corner of said 2.206 acre tract, being the northeasterly corner of said 1.43 acre tract, and being the TRUE POINT OF BEGINNING of the tract to be described;

Thence North 85°41'30" West with the northerly right of way line of said Westbourne Avenue, the northerly One of said 1.43 acre tract, and the southerly line of said 2.206 acre tract (passing an iron pin set at 30.00 feet), a total distance of 340.78 feet to an Iron pin set;

Thence crossing said 2.206 acre tract with the following two (2) courses and distances:

- 1.) North 04°98'30" East, a distance of 173.74 feet to a Mag nail set
- 2.) South 88°02'50" East (passing an Iron pin set at 309.68 feet), a total distance of 339.88 feet to a point on the centerline of said Taylor Station Road and being on the easterly line of said 2.206 acre tract;

Thence South 03°57'10" West with the easterly line of said 2.206 acre tract and the centerline of said Taylor Station Road, a distance of 175.85 feet to the true point of beginning, containing 1.365 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 a church with a maximum sanctuary size of 2,400 square feet along with offices and classrooms for the religious use comprising no more than 4,026 square feet, and/or those uses permitted in the M-2, Manufacturing District.

**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.