



Legislation Text

File #: 1831-2013, Version: 3

Rezoning Application: Z13-015

APPLICANT: Guy Williams; c/o Jeffrey L. Brown & David L. Hodge, Attys.; Smith and Hale; 37 West Broad Street, Suite 725; Columbus, OH 43215.

PROPOSED USE: Multi-unit residential development.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (6-0) on May 9, 2013.

FIFTH BY NORTHWEST AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. Given the predominance of multi-unit dwellings to the north and south and the commercial use to the east, Staff finds the proposed use and zoning compatible with the zoning pattern and development pattern of the area. Staff believes the storage yard to the west will eventually be redeveloped and this proposal will not negatively impact it while it is there. Staff also finds the proposed use to be compatible with the recommendation of the *Fifth by Northwest Neighborhood Plan* (2009).

To rezone **1397 CHAMBERS ROAD (43212)**, being 0.96± acres located on the south side of Chambers Road, 480± feet west of Northwest Boulevard, **From:** R, Rural District, **To:** AR-1, Apartment Residential District **and to declare an emergency** (Rezoning # Z13-015).

WHEREAS, application #Z13-015 is on file with the Department of Building and Zoning Services requesting rezoning of 0.96± acres from R, Rural District, to the AR-1, Apartment Residential District; and

WHEREAS, the Development Commission recommends approval of said zoning change; and

WHEREAS, the Fifth By Northwest Area Commission recommends approval of said zoning change; and

WHEREAS, the City Departments recommend approval of said zoning change finding that given the predominance of multi-unit dwellings to the north and south and the commercial use to the east, Staff finds the proposed use and zoning compatible with the zoning pattern and development pattern of the area. Staff believes the storage yard to the west will eventually be redeveloped and this proposal will not negatively impact it while it is there. Staff also finds the proposed use to be compatible with the recommendation of the *Fifth by Northwest Neighborhood Plan* (2009), and

WHEREAS, an emergency exists in the usual daily operation in the City of Columbus in that it is immediately necessary to pass this ordinance to begin construction as soon as possible for the immediate preservation of the public peace, property, health and safety; 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:

1397 CHAMBERS ROAD (43212), being 0.96± acres located on the south side of Chambers Road, 480± feet west of Northwest Boulevard, and being more particularly described as follows:

Legal Description

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 all of Lots 34, 35, 36, and 37 of "Lincoln Heights Addition" subdivision recorded in Plat Book 7, Page 250, said lots being in the name of 1405 LLC and Guy Williams, Jr. and described as follows:

Beginning in the south right-of-way line of Chambers Road and at the northwest corner of said Lot 34 of said "Lincoln Heights Subdivision";

Thence Easterly, along said south right-of-way line, about 160.55 feet to the northeast corner of said Lot 37;

Thence Southerly, along the east line of said Lot 37, about 170.46 feet to the southeast corner of said Lot 37, in the north right-of-way line for an Alley;

Thence Westerly, along said north right-of-way line, about 158.62 feet to the southwest corner of said Lot 34;

Thence Northerly, along the west line of said Lot 34, about 170.45 feet to the *Point of Beginning*. Containing approximately .96 acres of land, more or less.

This description was written for zoning purposes only.

Tax parcel Nos. 130-005576, 130-005577, 130-005578, 130-005579.

Being the western eighty-five (85) feet of Lot No. 30, John M. Pugh Subdivision and more particularly described as follows:

Beginning at an iron pin marking the intersection of the easterly-line of a (20) twenty foot alley with the southerly line of a thirty (30) foot street; thence, with the southerly line of said thirty (30) foot street, whose bearing is north eighty-nine degrees forty minutes and thirty seconds east (N. 89 deg. 40' 30" E), a distance of eight-five (85) feet; thence, parallel to the westerly line of Lot No. 30, south no degrees fifteen minutes east (S. 0 deg. 15' E) a distance of one hundred and seventy (170) feet to the northerly line of a twenty (20) foot alley; thence, with the northerly line of said alley, south eighty-nine degrees forty minutes and thirty seconds west (S. 89 deg. 40' 30" W) a distance of eighty-five (85) feet to an iron pin marking the intersection with the first above mentioned twenty (20) foot alley; thence, with the easterly line of said first aforementioned alley, north no degrees fifteen minutes west (N. 0 deg. 15' W) a distance of one hundred and seventy (170) feet to the point of beginning.

Tax parcel Nos. 130-001064, 130-002352

To Rezone From: R, Rural District,

To: AR-1, Apartment Residential District

SECTION 2. That a Height District of ~~thirty five (35)~~ **sixty (60)** feet is hereby established on the AR-1, Apartment 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 in the office of the Department of Building and Zoning Services.

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

That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or 10 days after its passage if the Mayor neither approves nor vetoes the same.