



Legislation Text

File #: 2679-2021, **Version:** 1

Council Variance Application: CV21-090

APPLICANT: Scott Schmidt; c/o Curtis H. Knapp, Atty.; 1160 Dublin Road, Suite 500; Columbus, OH 43215.

PROPOSED USE: Canine training, boarding, and grooming facility.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The subject site is developed with a single-unit dwelling in the SR, Suburban Residential District that is being used as a canine training, boarding, and grooming facility with outdoor runs, including a residence for a caretaker. These uses were established without obtaining zoning clearance. The requested Council variance legitimizes the uses, and will allow the applicant to seek a Special Permit from the Board of Zoning Adjustment for the outdoor runs. Any necessary standard variances and a site plan requested by the Planning Division will be evaluated with that request, and rezoning of the property to an appropriate zoning district for the canine facility will be required within one year of the passage of this ordinance. The site is located within the boundaries of the *Northland I Area Plan* (2014), which recommends office uses for this location. The request includes uses that provide a variety of services and employment opportunities for the neighborhood, as recommended by the Plan. Appropriate development standards will be provided in the required Special Permit and rezoning applications.

To grant a variance from the provisions of Section 3332.029, SR suburban residential district, of the Columbus City Codes; for the property located at **2827 E. DUBLIN-GRANVILLE RD. (43231)**, to permit a canine training, boarding, and grooming facility in the SR, Suburban Residential District (Council Variance #CV21-090).

WHEREAS, by application #CV21-090, the owner of property at **2827 E. DUBLIN-GRANVILLE RD. (43231)**, is requesting a Council variance to permit a canine training, boarding, and grooming facility in the SR, Suburban Residential District; and

WHEREAS, Section 3332.029, SR suburban residential district, prohibits commercial uses, while the applicant proposes to legitimize a canine training, boarding, and grooming facility; and

WHEREAS, City Departments recommend approval because the proposed canine training, boarding, and grooming facility provides a variety of services and employment opportunities for the neighborhood, as recommended by the *Northland I Area Plan*, and will not add incompatible uses to the neighborhood; and

WHEREAS, said ordinance requires separate submission for all applicable permits 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 owner of the property located

at **2827 E. DUBLIN-GRANVILLE RD. (43231)**, 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 Section 3332.029, SR suburban residential district of the Columbus City Codes; is hereby granted for the property located at **2827 E. DUBLIN-GRANVILLE RD. (43231)**, insofar as said section prohibits a canine training, boarding, and grooming facility in the SR, Suburban Residential District; said property being more particularly described as follows:

2827 E. DUBLIN-GRANVILLE RD. (43231), being 1.72± acres located on the south side of East Dublin-Granville Road, 1,300± east of Ponderosa Drive, and being more particularly described as follows:

SITUATED IN THE CITY OF COLUMBUS, COUNTY OF FRANKLIN, STATE OF OHIO, AND IS DESCRIBED AS FOLLOWS:

SITUATE IN 3RD QUARTER, TOWNSHIP 2. RANGE 17, U.S.M. LANDS; BEING PART OF A 30 ACRE TRACT AS CONVEYED TO WALTER AND BERTHA MASTERS AS DATED AUGUST 26, 1948 AND RECORDED IN DEED VOL. 1456, PAGE 159 FRANKLIN COUNTY OHIO RECORDS; BEGINNING AT A POINT IN THE CENTERLINE OF STATE ROUTE 161 (DUBLIN-GRANVILLE ROAD) WHICH POINT IS NORTH 71 DEGREES 05' WEST A DISTANCE OF 102.95 FEET, MEASURED ALONG THE CENTERLINE OF SAID ROAD FROM THE NORTHEAST CORNER OF SAID 30 ACRE TRACT; THENCE SOUTH 5 DEGREES 10' WEST A DISTANCE OF 743.46 FEET TO AN IRON PIN ON THE SOUTH LINE OF SAID 30 ACRE TRACT (PASSING AN IRON PIN AT 25.60 FEET); THENCE NORTH 84 DEGREES 42' WEST ALONG SAID SOUTH LINE A DISTANCE OF 99.26 FEET TO AN IRON PIN; THENCE NORTH 5 DEGREES 10' EAST A DISTANCE OF 767.51 FEET TO A POINT IN THE CENTER OF SAID ROAD (PASSING AN IRON PIN AT 741.91 FEET) THENCE SOUTH 71 DEGREES 05' EAST ALONG THE CENTERLINE OF SAID ROAD A DISTANCE OF 102.18 FEET TO THE PLACE OF BEGINNING. CONTAINING 1.721 ACRE.

KNOWN AS PARCEL C.

PARCEL NUMBER; 600-157975-00

PROPERTY ADDRESS: 2827 EAST DUBLIN GRANVILLE ROAD, COLUMBUS, OHIO 43231

EXCEPT FOR THE FOLLOWING AND SUBJECT TO ALL OF WHICH THIS CONVEYANCE IS MADE: LEGAL HIGHWAYS; ZONING ORDINANCES; COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS OF RECORD; AND ALL COAL, OIL, GAS, AND OTHER MINERAL RIGHTS AND INTERESTS PREVIOUSLY TRANSFERRED OR RESERVED OF RECORD.

PRIOR INSTRUMENT REFERENCE: INSTRUMENT NO. 201502170019582, 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 as a canine training, boarding, and grooming facility with outdoor runs, or those uses permitted in the SR, Suburban Residential 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 is further conditioned on the applicant obtaining a Special Permit from the Board of Zoning Adjustment for the existing outdoor runs as required by Section 3389.032.

SECTION 5. That this ordinance is further conditioned on the applicant rezoning the subject site to an appropriate zoning district within one year of the date of passage of this ordinance.

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