



City of Columbus

Office of City Clerk
90 West Broad Street
Columbus OH 43215-9015
columbuscitycouncil.org

Legislation Text

File #: 1460-2005, **Version:** 1

Rezoning Application Z05-020

APPLICANT: Joseph L. Sniderman; 398 Holtzman Avenue; Columbus, OH 43205.

PROPOSED USE: Industrial development.

NEAR EAST AREA COMMISSION RECOMMENDATION: Approval.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (6-0) on June 9, 2005.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The requested L-M, Limited Manufacturing would permit limited manufacturing development consistent with the zoning and land use patterns of the area. Due to the existing manufacturing uses to the south and west of the site, and the Applicant's commitment to implement the recommendations proposed by the *Holtzman-Main Neighborhood Plan* (2001), including the screening on both the east and north sides of the property, this re-zoning is an appropriate use and zoning classification for this location.

To rezone **390 HOLTZMAN AVENUE (43205)**, being 0.21± acres located on the east side of Holtzman Avenue at the intersection of Holtzman Avenue and Bryden Road, **From:** R-3, Residential District **To:** L-M, Limited Manufacturing District. (Rezoning # Z05-020)

WHEREAS, application #Z05-020 is on file with the Building Services Division of the Department of Development requesting rezoning of 0.21± acres from R-3, Rural District, to L-M, Limited Manufacturing District; and

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

WHEREAS, the Near East Area Commission recommends approval of said zoning change; and

WHEREAS, the City Departments recommend approval of said zoning change because the requested L-M, Limited Manufacturing would permit limited manufacturing development consistent with the zoning and land use patterns of the area. Due to the existing manufacturing uses to the south and west of the site, and the Applicant's commitment to implement the recommendations proposed by the *Holtzman-Main Neighborhood Plan* (2001), including the screening on both the east and north sides of the property, this re-zoning is an appropriate use and zoning classification for this location, 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:

390 HOLTZMAN AVENUE (43205), being 0.21± acres located on the east side of Holtzman Avenue at the intersection of Holtzman Avenue and Bryden Road, being more particularly described as follows:

0.212 ACRE TRACT

Situated in the State of Ohio, County of Franklin, City of Columbus, being part of Lot 23 & 33 of the Henry Holtzman's Addition in Plat Book 5, Pages 176 and 177, Recorder's Office, Franklin County, Ohio, (all deed and plat references made being to said Recorder's Office, unless otherwise noted) and being a 0.212 acres tract out of Lots 32 and 33 said Henry Holtzman's Addition, deeded to City of Columbus in Instrument number 200308110252558, being more particularly described as follows:

Beginning at an 1" pipe bent found and used at the northwest corner of Lot 33 of said Henry Holtzman's Addition in Plat Book 5 Pages 176 and 177, the southwest corner of Lot 122 of the Richard Clayton's Addition in Plat Book 7, Page 44, and being in the north line of Lot 55 of Martin & Stage's Fairwood Addition to the City of Columbus in Plat Book 2, Pages 98 and 99, also in the east right-of-way line of Holtzman Avenue (60' R/W), the TRUE POINT OF BEGINNING;

Thence along the south line of Lot 122 of said Richard Clayton's Addition, the north line of Lot 33 of said Henry Holtzman's Addition and the north line of Lots 55, 56 and 57 said Martin & Stage's Fairwood Addition, South 87 degrees 51 minutes 02 seconds East, 130.00 feet to an 1" open pipe found at the southwest corner of Lot 122 of said Richard Clayton's Addition, the north line of Lot 33 of said Henry Holtzman's Addition and being in the north line of Lot 57 of said Martin & Stage's Fairwood Addition to the City of Columbus;

Thence crossing Lots 33 and 32 of said Henry Holtzman's Addition, South 05 degrees 51 minutes 10 seconds East, 68.63 feet to a 5/8" rebar set in the south line of Lot 32, the north line of Lot 31 of said Henry Holtzman's Addition;

Thence along the south line of Lot 32, the north line of Lot 31 of said Henry Holtzman's Addition, North 87 degrees 51 minutes 02 seconds West, 141.79 feet to a PK nail found at the southwest corner of Lot 32, the northwest corner of said Henry Holtzman's Addition, the east right-of-way line of said Holtzman Avenue;

Thence along the west line of Lot 32 and 33 of said Henry Holtzman's Addition, the east right-of-way line of said Holtzman Avenue, North 04 degrees 01 minutes 59 seconds East, 68.00 feet to the TRUE POINT OF BEGINNING, containing 0.212 acres, and subject to all legal easements, restrictions, and right-of-way of record.

Anthony J. Robinson, Ohio Surveyor No 8120, of H.L.G. Engineering and Surveying, Worthington Ohio, prepared the above description from actual field surveys performed in October 2002 and May 2004. Basis of bearings South 87 degrees 51 minutes 02 seconds East, the south line of The Sebastian/Bohls Family Limited Partnership in Instrument number 199912010297259, was established by P.K. Nail found and used at the southwest corner of Lot 18 of Henry Holtzman's Addition and a 3/4" Iron Pipe with cap marked "PS 6579" found near the top of bank of Alum Creek on said south line of The Sebastian/Bohls Family Limited Partnership, which is on the same line as the extended line of the Lot line between Lots 18 and 19 of Henry Holtzman's Addition, the measured distance between said found P.K. Nail and Iron Pipe was 408.13 feet. Iron pins set are 5/8" x 30" rebar set with yellow plastic cap marked HLG ENGR. & SURVEYING.

SECTION 2. That a Height District of thirty-five (35) feet is hereby established on the L-M, Limited Manufacturing District on this property.

SECTION 3. That the Director of the Department of Development be, and he is hereby authorized and directed to make the said changes on the said original zoning map in the office of the Building Services Division and shall register a copy of the approved L-M, Limited Commercial District and Application among the records of the Building Services Division as required by Section 3370.03 of the Columbus City Codes; said text being titled, "**LIMITATION TEXT**," signed by Stanley Dritz, Attorney for the Applicant, dated August 8, 2005, and reading as follows:

LIMITATION TEXT

PROPOSED DISTRICT: L-M, Limited Manufacturing District
PROPERTY ADDRESS: 390 East Holtzman Avenue, Columbus, OH 43205
OWNER: S & G Properties
APPLICANT: Joseph L. Sniderman
DATE OF TEXT: August 8, 2005
APPLICATION NUMBER: Z05-020

INTRODUCTION:

This re-zoning involves a 0.21 acre parcel (the "site") located at 390 Holtzman Avenue presently zoned R-3, Residential District, despite a history of non-conforming use and location adjacent to existing parcels zoned M, Manufacturing. Applicant is seeking a re-zoning of the parcel to L-M, Limited Manufacturing, pursuant to Columbus City Code 3363.01. The site is presently vacant.

To the south of the site are industrial uses zoned in the M, Manufacturing District. Immediately to the west of the site are industrial uses zoned in the M, Manufacturing District. Directly to the north of the site is a park located in the R-3, Residential District. To the immediate east is vacant land zoned in the R-3, Residential District.

This application for re-zoning arises out of a land exchange transaction between Applicant and the City of Columbus Parks and Recreation Department. On or about October, 2004, Applicant entered into a real estate contract with the City of Columbus. The contract provided that Applicant would convey to the City of Columbus a portion of his property located at 404 Holtzman Avenue to be used by the Parks Department in constructing a bike path. In exchange, the City of Columbus agreed to convey to Applicant by quitclaim deed the site at issue.

By virtue of the existing manufacturing uses to the south and west of the site, and Applicant's affirmation to implement the recommendations proposed by the Holtzman-Main Neighborhood Plan (2001), including the screening on both the east and north sides of the property, Applicant considers this re-zoning an appropriate use and zoning classification for this location. Furthermore, Applicant's compliance with the Holtzman-Main Neighborhood Plan (2001) will facilitate uniformity for zoning and Code enforcement and support a gradual transition from the Manufacturing (M) zoning classification to commercial and/or industrial classifications that prohibit automotive uses and residential dwellings.

1. PERMITTED USES

The following uses for this L-M district, provided by C.C.C. §3363.01, *et seq.*, shall be permitted:

- a). All (M) Limited Manufacturing District uses as set forth in C.C.C. §3363.01 - §3363.175, unless prohibited below.

The following uses are **prohibited**:

- a). The following C4, Commercial District uses set forth in §3356.03; automotive accessories, parts and tire stores; automotive and light truck dealers; automotive driving training facility; automotive sales, leasing, and rental; bars, cabarets and nightclubs; motorcycle, boat, and other motor vehicle dealers; motor vehicle accessories and parts dealers; truck, utility trailer, and RV sales, rental, and leasing; automotive maintenance and repair; limousine and taxi service.
- b). The following C5, Commercial District uses set forth in §3357.01; automobile service stations; car washes.
- c). Automobile wrecking, cars and parts, storage and sale, all being subject to a special permit under restrictions specified in C.C. Section 3389.02.
- d). Outdoor storage shall not be permitted per C.C.C. §3363.41.

2. DEVELOPMENTAL STANDARDS

A. Building Design and/or Interior-Exterior Treatment Commitments

Building Materials: The proposed building shall utilize a brick or stone front building façade to be used to enhance the aesthetic character of the neighborhood.

B. Graphics and/or Signage Commitments

All graphics and signage shall comply with graphics code, Article 15, Title 33 of the Columbus Graphics Commission for consideration.

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

