



City of Columbus

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

Legislation Text

File #: 0830-2007, Version: 1

Rezoning Application Z07-011

APPLICANT: Curtis and Elaine Moody; 2727 Belleroy Way; Columbus, OH 43219.

PROPOSED USE: Single-family dwellings.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (7-0) on May 10, 2007.

NORTH EAST AREA COMMISSION RECOMMENDATION: Approval

CITY DEPARTMENTS' RECOMMENDATION: Approval. The requested R-1, Residential District would permit single-family residential use consistent with established zoning and development patterns of the area.

To rezone **3703 SUNBURY ROAD (43219)**, being 1.95± acres located at the northwest corner of Innis Road and Sunbury Road, **From:** R, Rural District, **To:** R-1, Residential District. (Rezoning # Z07-011)

WHEREAS, application #Z07-011 is on file with the Building Services Division of the Department of Development requesting rezoning of 1.95± acres from R, Rural District, to the R-1, Residential District; and

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

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

WHEREAS, the City Departments recommend approval of said zoning change because the proposed rezoning would permit single-family residential use consistent with established zoning and development patterns of the area, 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:

3703 SUNBURY ROAD (43219), being 1.95± acres located on the west side of Sunbury Road, at the northwest corner of Innis Road and Sunbury Road, and being more particularly described as follows:

0.936-Acre Survey For Curtis J. Moody

Situated in the State of Ohio, County of Franklin, Township of Mifflin, Quarter Township 2, Township 1, Range 17, United States Military lands and being all of a 0.526 acre tract conveyed to Curtis J. & Elaine S. Moody by deed of record in Instrument No. 200608070155273, all records are to the Recorder's Office, Franklin County, Ohio:

Beginning for reference at a railroad spike found at the centerline intersection of Sunbury Road (R/W varies) and Innis Road (R/W varies);

Thence N 27°13'20" E, a distance of 359.33 feet along the centerline of said Sunbury Road to a magnail found at the southeasterly corner of a 1.047 acre tract conveyed to Curtis J. & Elaine S. Moody by deed of record in Instrument No. 200512290273063;

Thence N 75°09'46" W, a distance of 34.49 feet leaving said centerline along the southerly line of said 1.047 acre tract to iron pipe and cap set in the westerly right of way line of said Sunbury Road also being the **True Place of Beginning** for this particular description;

Thence, along the westerly right-of-way line of said Sunbury Road the following 3 courses:

- 1) S 30°30'29" W, a distance of 22.90 feet to an iron pipe and cap set.
- 2) S 32°55'58" W a distance of 100.50 feet to an iron pipe and cap set.
- 3) S 23°10'28" W a distance of 117.90 feet to an iron pipe and cap set in the northerly right of way line of said Innis Road, referenced by a ¾" rebar found which bears N 66°39'11" W, a distance of 1.43 feet;

Thence, along the northerly right of way line of said Innis Road the following 3 courses:

- 1) N 65°26'31" W, a distance of 39.85 feet to an iron pipe and cap set.
- 2) N 25°38'27" W, a distance of 98.97 feet to an iron pipe and cap set.
- 3) N 52°50'26" W, a distance of 132.99 feet to an iron pipe and cap set on the easterly bank of Alum Creek;

Thence along the easterly bank of Alum Creek the following 4 courses:

- 1) N 25°33'45" E, a distance of 32.91 feet to an iron pipe and cap set.
- 2) N 38°11'12" E, a distance of 27.34 feet to an iron pipe and cap set.
- 3) N 28°12'53" E, a distance of 36.26 feet to an iron pipe and cap set
- 4) N 41°17'56" E a distance of 10.05 feet to an iron pipe and cap set at the southwesterly corner of said 1.047 acre tract;

Thence, S 75°09'46" E a distance of 251.22 feet to the **True Place of Beginning** containing 0.936 acres more or less subject to all legal highways, easements, leases and restrictions of record and of records in the respective utility offices.

Iron pipes set are ¾" inside diameter iron pipes 30" long with a yellow cap inscribed "RAAB P.S. 7863".

The Basis of Bearings for this survey is the Azimuth between Franklin County horizontal control points Frank 64 and Frank 164 being N 54°15'02" W, State Plane Coordinates, State of Ohio South Zone.

**1.012-Acre Survey
For Curtis J. Moody**

Situated in the State of Ohio, County of Franklin, Township of Mifflin, Quarter Township 2, Township 1, Range 17, United States Military lands and being all of a 1.047acre tract conveyed to Curtis J. and Elaine S. Moody by deed of record in Instrument No. 200512290273063, all records are to the Recorder's Office, Franklin County, Ohio:

Beginning for reference at a railroad spike found at the centerline intersection of Sunbury Road (R/W varies) and Innis Road (R/W varies);

Thence N 27°13'20" E, a distance of 359.33 feet along the centerline of said Sunbury Road to a magnail found at the southeasterly corner of said 1.047 acre tract also being the **True Place of Beginning** for this particular description;

Thence N 75°09'46" W, a distance of 285.71 feet leaving said centerline along the southerly line of said 1.047 acre tract also being the northerly line of a 0.526 acre tract conveyed to Curtis J. and Elaine S. Moody by deed of record in Instrument No. 200608070155273 to an iron pipe and cap set in the easterly bank of Alum Creek;

Thence along the easterly bank of Alum Creek the following 4 courses:

- 1) N 41°17'56" E, a distance of 18.02 feet to an iron pipe and cap set.
- 2) N 28°27'37" E, a distance of 32.56 feet to an iron pipe and cap set.
- 3) N 28°30'15" E, a distance of 68.75 feet to an iron pipe and cap set.

- 4) N 30°11'50" E, a distance of 34.98 feet to a ¾" inside diameter iron pipe with a red cap inscribed "P.S. 6579" found at the southwesterly corner of a 1.181 acre tract conveyed to John W. and Jacqueline K. Spencer by deed of record in Instrument No. 200212260332374;

Thence S 78°56'07" E, a distance of 281.80 feet, passing a ¾" inside diameter iron pipe found at 42.14 feet, along the southerly line of said 1.181 acre tract to a magnail found in the centerline of said Sunbury Road;

Thence S 27°14'14" W, a distance of 170.84 feet along the centerline of said Sunbury Road to the **True Place of Beginning** containing 1.012 acres more or less subject to all legal highways, easements, leases and restrictions of record and of records in the respective utility offices.

Iron pipes set are ¾" inside diameter iron pipes 30" long with a yellow cap inscribed "RAAB P.S. 7863".

The Basis of Bearings for this survey is the Azimuth between Franklin County horizontal control points Frank 64 and Frank 164 being N 54°15'02" W, State Plane Coordinates, State of Ohio South Zone.

To Rezone From: R, Rural District,

To: R-1, Residential District

Section 2. That a Height District of thirty-five (35) feet is hereby established on the R-1, Residential 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.

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