



City of Columbus

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

Legislation Text

File #: 0804-2006, Version: 2

Council Variance Application: CV05-071

APPLICANT: Scioto Riverpark, LLC; c/o David Hodge; Smith and Hale; 37 West Broad Street, Suite 725; Columbus, OH 43215.

PROPOSED USE: Parking.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The applicant is requesting a Council Variance to permit a parking lot in the PUD-4, Planned Unit Development District. A Council Variance is necessary because free-standing parking lots are not a permitted principal use in the Planned Unit Development District and parking spaces are required to be located on the same lot as the use they are intended to serve. This parking lot is intended to serve the existing multi-family use to the north, which is located on a separate parcel and in a different tax district (Perry Township). Staff finds the parking lot use consistent with and a continuation of current development trends in the area. This site is currently zoned for multi-family use as an extension of that same existing multi-family development to the north.

To grant a variance from the provisions of Sections 3342.02, Administrative Requirements for Off-Street Parking and Loading, and 3345.04, Planned Unit Development District of the Columbus City Codes for the property at **2515 Olde Hill Court (43221)**, to permit a parking lot in the Planned Unit Development District that serves a multi-family use on a separate lot **and to declare an emergency.** (CV05-071)

WHEREAS, by application #CV05-071 the owner of property at **2515 Olde Hill Court (43221)**, is requesting a Council Variance to permit a parking lot in the Planned Unit Development District that serves a multi-family use on a separate lot; and

WHEREAS, Section 3345.04, PUD, Planned Unit Development District, does not permit parking lots as a principal use; 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; and

WHEREAS, Section 3342.02, Administrative Requirements of Off-Street Parking and Loading requires parking spaces to be located on the same lot as the use they are intended to serve, while the applicant wishes to develop a parking lot on a separate but contiguous lot from the lot it is intended to serve; and

WHEREAS, the City Department's note that a hardship exists in that the Columbus City Code requires parking spaces to be provided on the same lot as the use they are intended to serve, and the use this parking lot is intended to serve is on a contiguous parcel, however, in a different tax district, (Perry Township), therefore combination of the tax parcels constitutes a practical difficulty;

WHEREAS, said variances will not adversely affect the surrounding property or surrounding neighborhood;

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 areas, 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 variances will alleviate the difficulties encountered by the property owner located at **2515 Olde Hill Court (43221)**, 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 3345.05, Planned Unit Development District, and Section 3342.02, Administrative Requirements of Off-Street Parking and Loading, of the Columbus City Codes is hereby granted for the property located at **2525 Olde Hill Court (43221)**, in so far as said sections prohibit a parking lot as a principal use serving a use located on a contiguous parcel that is in a different tax district, said property being more particularly described as follows:

Legal Description

Situate in the State of Ohio, County of Franklin, Township of Perry, lying in Section 4, Township 1, Range 19, United States Military Lands, being part of the remainder of the original 35.918 acre tract conveyed to Wulamat Tauwatawique Limited Partnership by deed of record in Official Record 26917 E02, (all references refer to the records of the Recorder's Office, Franklin County, Ohio) being more particularly described as follows:

Beginning, for Reference, at a steel rod found at the centerline intersection of Riverside Drive (U.S. Route 33) and Lane Avenue, being in the northerly line of the 2.951 acre tract conveyed to City of Columbus, Ohio by deed of record in Instrument Number 200111050255572;

Thence North 33° 44' 15" West, a distance of 316.22 feet, with the centerline of said Riverside Drive and the northerly line of said 2.951 acre tract, to a 3/4 inch iron pipe found at a point of curvature;

Thence with the centerline of said Riverside Drive, the northerly line of said 2.951 acre tract, and said curve to the left, having a central angle of 18° 02' 12", a radius of 1189.00 feet, an arc length of 374.29 feet, and a chord which bears North 42° 45' 21" West, a chord distance of 372.75 feet, to a point at the common corner of said 10.463 and 2.951 acre tracts;

Thence South 36° 49' 54" West, a distance of 60.02 feet, with a southerly line of said 10.463 acre tract and the northerly line of said 2.951 acre tract, to a 3/4 inch iron pipe capped "Bird & Bull" found at the northerly corner of the remainder of said original 35.918 acre tract, the TRUE POINT OF BEGINNING;

Thence with the lines common to the remainder of said original 35.918 acre tract and said 2.951 acre tract, the following courses and distances:

With a curve to the right, having a central angle of 13° 38' 24", a radius of 1129.00 feet, an arc length of 268.77 feet, and a chord which bears South 44° 52' 48" East, a chord distance of 268.14 feet, to a 3/4 inch iron pipe capped "Bird & Bull" found;

South 51° 56' 24" West, a distance of 15.00 feet, to a 3/4 inch iron pipe capped "Bird & Bull" found;

With a curve to the right, having a central angle of 00° 51' 20", a radius of 1114.00 feet, an arc length of 16.64 feet, and a chord which bears South 37° 37' 55" East, a chord distance of 16.64 feet, to an iron pin set;

Thence South 57° 22' 50" West, a distance of 391.33 feet, across the remainder of said original 35.918 acre tract, to an iron pin set in an easterly line of said 10.463 acre tract;

Thence with the lines common to said original 35.918 and 10.463 acre tracts, the following courses and distances:

North 36° 33' 13" West, a distance of 101.95 feet, to a 3/4 inch iron pipe found;

North 44° 49' 06" West, a distance of 42.86 feet, to a railroad spike found;

North 36° 49' 54" East, a distance of 388.65 feet, to the TRUE POINT OF BEGINNING, containing 1.958 acres, more or less.

Subject, however, to all legal rights-of-way and/or easements, if any, of previous record.

Iron pins set, where indicated, are iron pipes, thirteen sixteenths (13/16) inch inside diameter, thirty (30) inches long with a

plastic plug placed in the top bearing the initials EMHT INC.

Bearings are based on the centerline of Riverside Drive, being South 33° 44' 15" East, of record in "Lane Woods", a subdivision of record in Plat Book 98, Page 9, Recorder's Office, Franklin County, Ohio.

Section 2. That this ordinance is conditional on and shall remain in effect only for so long as said property is used for a parking lot or those uses permitted in the PUD-4, Planned Unit Development District.

Section 3. That this ordinance is further conditioned on the applicant obtaining all applicable permits 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.~~ **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.**