



Legislation Text

File #: 1503-2024, **Version:** 1

Council Variance Application: CV23-107

APPLICANT: Pilot Dogs, Inc., c/o Dustin Todd, Agent; 49 East Third Avenue; Columbus, OH 43215.

PROPOSED USE: Dormitory, accessory kennels, office, and medical use for guide dog training facility.

FRANKLINTON AREA COMMISSION RECOMMENDATION: Approval.

EAST FRANKLINTON REVIEW BOARD RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The site consists of four parcels, one undeveloped, one developed with a single-unit dwelling, and two developed with office buildings, all zoned in the EF, East Franklinton District within the Dodge Park Sub-District. The requested Council variance will allow dormitory use, offices, kennels, and outdoor runs, cages, or structures for open air confinement of animals, to be used in conjunction with an existing guide dog training facility operated by Pilot Dogs, located just east of the site at 577 West Town Street. The variance request is necessary because the proposed dormitory and kennel uses are not allowed within the Dodge Park Sub-District of the EF district. Additionally, an animal kennel or animal shelter with outdoor runs, cages or structures for open air confinement of animals requires a Special Permit from the Board of Zoning Adjustment. Due to the nature of this facility, the Special Permit requirement is being waived. The *East Franklinton Creative Community District Plan (2012)* recommends "Medium-Density Mixed Residential" land uses for this location. The East Franklinton Review Board has issued a Certificate of Approval for the variance request for the dormitory, accessory kennels, and outdoor runs as Pilot Dogs has been a staple part of this community for over sixty years. A Certificate of Approval will also be required for the building and site design as part of the site compliance review process.

To grant a variance from the provisions of Sections 3323.19, Uses; and 3389.032, Animal kennel or animal shelter, of the Columbus City codes; for the property located at **625 & 657 W. TOWN ST. (43215)**, to allow a dormitory, accessory kennels, and outdoor runs in conjunction with a guide dog training facility in the EF, East Franklinton District (Council Variance # CV23-107).

WHEREAS, by application #CV23-107, the owner of property at **625 & 657 W. TOWN ST. (43215)**, is requesting a Council variance to allow a dormitory, accessory kennels, and outdoor runs in conjunction with a guide dog training facility in the EF, East Franklinton District and

WHEREAS, Section 3323.19, Uses, does not allow dormitory or kennel within the EF, East Franklinton Dodge Park Sub-District, while the applicant proposes such uses; and

WHEREAS, Section 3389.032, Animal kennel or animal shelter, only allows outdoor runs, cages, or structures for open air confinement of animals within the M, and M-1, Manufacturing districts with a Special Permit from the Board of Zoning Adjustment, while the applicant proposes outdoor runs, cages or structures for open air confinement of animals in conjunction with the dog training facility in the EF, East Franklinton District without a Special Permit; and

WHEREAS, the Franklinton Area Commission recommends approval; and

WHEREAS, the East Franklinton Review Board recommends approval; and

WHEREAS, the City Departments recommend approval of the requested variance because the proposal will allow the existing Pilot Dogs guide dog training facility to expand their operation and existing offices. The East Franklinton Review Board has issued a Certificate of Approval for the use variance necessary for the dormitory, accessory kennels, and outdoor runs. A Certificate of Approval will also be required for the building and site design as part of the site compliance review process; and

WHEREAS, said ordinance requires separate submission for all applicable permits and Certificates of Occupancy for the proposed uses; 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 owners of the property located at **625 & 657 W. TOWN ST. (43215)**, 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 Sections 3323.19, Uses; and 3389.032, Animal kennel or animal shelter, of the Columbus City codes; is hereby granted for the property located at **625 & 657 W. TOWN ST. (43215)**, insofar as said sections prohibit dormitories, kennels, and outdoor runs, cages or structures for open air confinement of animals in the EF, East Franklinton District, with no Special Permit required from the Board of Zoning Adjustment for the proposed outdoor runs; said property being more particularly described as follows:

625 & 657 W. TOWN ST. (43215) being 2.64± acres located at the southwest and southeast corners of the intersection at West Town Street and South Grubb Street, and being more particularly described as follows:

TRACT 1:

Situated in the State of Ohio, County of Franklin, City of Columbus, and being all of Lots 15, 16, 21, 22 and 28 and part of Lots 27 and 33 and all of that 16.5' Alley lying south of Lots 21 and 22 and north of Lots 27 and 28 of M. L. Sullivant's Second Addition to Franklinton, of record in Plat Book 1, Page 74, (all references used in this description refer to the records of the Recorder's Office, Franklin County, Ohio), said 1.685 acre Variance tract being more particularly described as follows:

Beginning at the northeasterly corner of said Lot 16, also being the intersection of the southerly Right of Way line of Town Street (49.5' in width) with the westerly Right of Way line of Skidmore Street (49.5 feet in width);

Thence with the westerly Right of Way line of Skidmore Street, also with the easterly line of said Lot 16, and continuing with the easterly line of said Lots 21, 28 and 33, South 9°57'30" East, a distance of 382.68 feet to the intersection of the westerly Right of Way line of said Skidmore Street with the northerly Right of Way line of Rich Street (62 feet in width);

Thence with the northerly Right of Way line of said Rich Street, South 80°07'35" West, a distance of 116.22 feet to a point in the westerly line of said Lot 33, also being the southeasterly corner of Lot 2 of Samuel & Walker's Subdivision, of record in Plat Book 3, Page 28;

Thence with the westerly line of said Lot 33 and continuing with the westerly line of said Lot 28, also with the easterly line of said Lot 2, continuing with the easterly line of Lot 3 of said Samuel & Walker's Subdivision, and continuing with the easterly line of said Lot 27, North 9°49'25" West, a distance of 130.70 feet to the northeasterly corner of that tract of land conveyed to Robert D. & Nancy L. Miller, of record in Official Record 04615 J13;

Thence with the northerly line of said Miller tract, South 80°18'49" West, a distance of 115.91 feet to the northwesterly corner of said Miller tract, also being in the easterly Right of Way line of Grubb Street (49.5' in width);

Thence with the easterly Right of Way line of said Grubb Street, also with the westerly line of said Lot 27, and continuing with the westerly line of Lots 22 and 15, North 9°41'19" West, a distance of 251.31 feet to the intersection of the easterly Right of Way line of said Grubb Street with the southerly Right of Way line of said Town Street, also being the northwesterly corner of said Lot 15;

Thence with the southerly Right of Way line of said Town Street, also with the northerly line of said Lot 15 and continuing with the northerly line of said Lot 16, North 80°03'15" East, a distance of 230.63 feet to the point of beginning, and containing 1.685 acres of land, more or less.

Subject to all easements, restrictions, and rights of way of previous record or otherwise legally established.

Basis of Bearings: The easterly Right of Way line of Sandusky Street Avenue was assigned a bearing of North 9°25'12" West, as described in Instrument Number 202206140088334, Recorder's Office, Franklin County, Ohio.

Parcel No.: 010-011488

Address: 625 West Town Street, Columbus, OH 43215

TRACT 2:

Situated in the State of Ohio, County of Franklin, City of Columbus, and being all of Lots 13, 14, 23 and 24 of M. L. Sullivant's Second Addition to Franklinton, of record in Plat Book 1, Page 74, (all references used in this description refer to the records of the Recorder's Office, Franklin County, Ohio), said 1.067 acre Variance tract being more particularly described as follows:

Beginning at the northeasterly corner of said Lot 14, also being the intersection of the southerly Right of Way line of Town Street (49.5' in width) with the westerly Right of Way line of Grubb Street (49.5 feet in width);

Thence with the westerly Right of Way line of Grubb Street, also with the easterly line of said Lot 14, and continuing with the easterly line of said Lots 23, South 9°41'18" East, a distance of 201.59 feet to the intersection of the westerly Right of Way line of said Grubb Street with the northerly line of Minard Alley (16.5 feet in width);

Thence with the northerly line of said Minard Alley, also with the southerly line of said Lot 23, and continuing with the southerly line of said Lot 24, South 80°18'49" West, a distance of 231.58 feet to the southwesterly corner of said Lot 24, also being the intersection of the northerly line of said Minard Alley with the easterly Right of Way line of Sandusky Street;

Thence with the easterly Right of Way line of said Sandusky Street, also with the westerly line of said Lot 24 and continuing with the westerly line of said Lot 13, North 9°25'12" West, a distance of 200.55 feet to the northwesterly corner of said Lot 13, also being the intersection of the southerly Right of Way line of said Town Street with the easterly Right of Way line of said Sandusky Street (49.5 feet in width);

Thence with the southerly Right of Way line of said Town Street, also with the northerly line of said Lot 13 and continuing with the northerly line of said Lot 14, North 80°03'15" East, a distance of 230.64 feet to the point of beginning, and containing 1.067 acres of land, more or less.

Subject to all easements, restrictions, and rights of way of previous record or otherwise legally established.

Basis of Bearings: The easterly Right of Way line of Sandusky Street Avenue was assigned a bearing of North 9°25'12" West, as described in Instrument Number 202206140088334, Recorder's Office, Franklin County, Ohio.

Parcel No's.: 010-021736, 010-007688, & 010-037299

Address: 657 West Town Street, Columbus, OH 43215

SECTION 2. That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for a dormitory, offices, kennels, and outdoor runs, or those uses allowed in the EF, East Franklinton District.

SECTION 3. That this ordinance is further conditioned upon the applicant obtaining all applicable permits and a Certificate of Occupancy 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.