



## Legislation Details (With Text)

**File #:** 0860-2008      **Version:** 1

**Type:** Ordinance      **Status:** Passed

**File created:** 5/13/2008      **In control:** Zoning Committee

**On agenda:** 6/16/2008      **Final action:** 6/18/2008

**Title:** To grant a Variance from the provisions of Sections 3353.03, Permitted uses; 3342.15, Maneuvering; and 3342.02(4), Administrative requirements; of the Columbus City Codes; for the property located at 1330 WILSON ROAD (43204), to allow a parking lot as a primary use in the L-C-2, Limited Commercial District with reduced development standards. (Council Variance #CV08-005)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD # 0860-2008 Attachments.pdf, 2. ORD # 0860-2008 Mailing Labels.pdf, 3. ORD # 0860-2008 Data Form.pdf

Date	Ver.	Action By	Action	Result
6/18/2008	1	CITY CLERK	Attest	
6/17/2008	1	ACTING MAYOR	Signed	
6/16/2008	1	COUNCIL PRESIDENT	Signed	
6/16/2008	1	Zoning Committee	Approved	Pass
6/9/2008	1	Columbus City Council	Read for the First Time	
5/30/2008	1	Dev Drafter	Sent for Approval	
5/30/2008	1	DEVELOPMENT DIRECTOR	Reviewed and Approved	
5/30/2008	1	Dev Drafter	Sent to Clerk's Office for Council	
5/29/2008	1	Dev Zoning Reviewer	Reviewed and Approved	
5/13/2008	1	Dev Drafter	Sent for Approval	

**Council Variance Application: CV08-005**

**APPLICANT:** American Commerce Insurance Company; c/o Jackson B. Reynolds, III; 37 West Broad Street, Suite 725; Columbus, Ohio 43215.

**PROPOSED USE:** Off-site parking.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The subject site consists of three adjacent parcels, one zoned in the C-2 and C-4, Commercial Districts and developed with an office building, the second undeveloped and zoned in the C-2 and C-4, Commercial Districts, and the third undeveloped and zoned in the L-C-2, Limited Commercial District. The undeveloped L-C-2 property was rezoned from the R, Rural District to L-C-2 earlier this year by Ordinance # 0184-2008. The applicant intends to treat the site as one development, but cannot combine the three lots because they are in different tax districts. The proposed development could be built without the variances, if the applicant was able to combine the lots. The applicant is requesting variances to allow a parking lot as the primary use in the L-C-2 district, maneuvering for parking spaces across lot lines, and parking spaces on a lot adjacent to the use. The applicant will meet all of the requirements for minimum number of parking spaces and maneuvering, but these requirements may be on separate lots within the site. The proposed development is compatible with the area.

To grant a Variance from the provisions of Sections 3353.03, Permitted uses; 3342.15, Maneuvering; and 3342.02(4), Administrative requirements; of the Columbus City Codes; for the property located at **1330 WILSON ROAD (43204)**, to allow a parking lot as a primary use in the L-C-2, Limited Commercial District with reduced development standards. (Council Variance #CV08-005)

**WHEREAS**, by application No. CV08-005, the owner of property at **1330 WILSON ROAD (43204)**, is requesting a Council Variance to allow a parking lot as a primary use with reduced development standards in the L-C-2, Limited Commercial District; and

**WHEREAS**, Section 3353.03, Permitted uses, prohibits parking lots as a primary use, while the applicant proposes to construct a parking lot as the primary use on the L-C-2 district on the site; and

**WHEREAS**, Section 3342.15, Maneuvering, requires sufficient maneuvering area for every parking space, while the applicant proposes to provide the required maneuvering, but to allow it to cross property lines; and

**WHEREAS**, Section 3342.02(4), Administrative requirements, requires parking spaces to be provided on the same lot as the use they are intended to serve, while the applicant proposes to locate required parking spaces on the adjacent lot; and

**WHEREAS**, City Departments recommend approval because this request will allow development that would be permitted if the lots, which are in different tax districts, could be combined, and no new or incompatible use will be added to the area; 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 owners of the property located at **1330 WILSON ROAD (43204)**, 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 3353.03, Permitted uses; 3342.15, Maneuvering; and 3342.02(4), Administrative requirements; of the Columbus City Code; is hereby granted for the property located at **1330 WILSON ROAD (43204)**, insofar as said sections prohibit a parking lot as the primary use on the property zoned in the L-C-2, Limited Commercial District, with maneuvering and required parking provided as required but on separate lots; said property being more particularly described as follows:

**1330 WILSON ROAD (43204)**, being 6.0± acres located at the northeast corner of the intersection of Wilson Road and Twin Creeks Drive, and being more particularly described as follows:

**6.002 ACRES**

Situated in the State of Ohio, County of Franklin, Township of Franklin and City of Columbus, lying in Survey No. 875, Virginia Military District, being all of the remainder of the original 2.216 acre tract conveyed to Automobile Club Insurance Company by deed of record in Official Record 33422 C19, all of the remainder of the original 1.823 acre tract conveyed to Automobile Club Insurance Company by deed of record in Deed Book 3574, Page 1, all of the 0.487 acre tract conveyed to Automobile Club Insurance Company by deed of record in Official Record 32267 I05, and all of the 2.135 acre tract conveyed to Automobile Club Insurance Company by deed of record in Deed Book 3743, Page 34, (all references are to the records of the Recorder's Office, Franklin County, Ohio) and being more particularly described as follows:

BEGINNING at an iron pin set in the easterly right-of-way line of Wilson Road, at the common corner of the remainder of said original 2.216 acre tract, the 0.192 acre tract conveyed as Parcel 15-WD to Franklin County Commissioners by deed of record in Instrument Number 199803230066229, the 0.906 acre tract conveyed as Parcel 16-WD to Franklin County Commissioners by deed of record in Instrument Number 199802170034116, and Reserve "B" of "Darby Pointe", a subdivision of record in Plat Book 103, Page

64;

Thence with the lines common to said original 2.216 acre tract and said "Darby Pointe", the following courses and distances:

North 66° 18' 25" East, a distance of 665.00 feet, to an iron pin set;

South 23° 38' 04" East, a distance of 137.00 feet, to a 1 inch iron pin found in the northerly line of the 20.500 acre tract conveyed as Parcel One to Cromwell Associates, LLC by deed of record in Instrument Number 199909010223897;

Thence South 66° 18' 25" West, a distance of 110.59 feet, with the line common to said original 2.216 and 20.500 acre tracts, to a magnetic nail set at the common corner of said 2.135 and 20.500 acre tracts;

Thence South 23° 41' 35" East, a distance of 310.00 feet, with the line common to said 2.135 and 20.500 acre tracts, to a 3/4 inch iron pin found in the northerly right-of-way line of Twin Creeks Drive, at the common corner of said 2.135 acre tract and the 0.981 acre tract conveyed to City of Columbus, Ohio by deed of record in Deed Book 3197, Page 676;

Thence South 66° 18' 25" West, a distance of 515.74 feet, with the southerly lines of said 2.135, 0.487, and original 1.823 acre tracts, and the northerly line of said 0.981 acre tract, and said northerly right-of-way line, to an iron pin set at a common corner of the remainder of said original 1.823 acre tract and said 0.192 acre tract, being the intersection of said northerly and easterly right-of-way lines;

Thence with the lines common to the remainder of said original 1.823 acre tract and said 0.192 acre tract, and said easterly right-of-way line, the following courses and distances:

North 65° 40' 15" West, a distance of 52.88 feet, to an iron pin set;

North 24° 08' 17" West, a distance of 407.70 feet, to the POINT OF BEGINNING, containing 6.002 acres, more or less, of which 2.090 acres lie within Parcel Number 142-000009, 1.291 acres are within Parcel Number 560-125544, and 2.622 acres are within Parcel Number 560-121074.

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.

The bearings herein are based on the bearing of South 24° 10' 37" East for a portion of the centerline of Wilson Road as determined from a series of GPS observations performed in January, 2003.

**SECTION 2.** That this ordinance is conditioned on and shall remain in effect only for so long as the lot zoned L-C-2, Limited Commercial District is used for a parking lot, or those uses permitted in the L-C-2, Limited Commercial District, .

**SECTION 3.** That this ordinance is further conditioned that the total number of required parking spaces shall be provided on the six (6) acre site.

**SECTION 4** That this ordinance is further conditioned that all required maneuvering shall be provided on the six (6) acre site.

**SECTION 5.** That this ordinance is further conditioned on the applicant obtaining all applicable permits and a Certificate of Occupancy for the proposed use.

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