



Legislation Details (With Text)

File #: 1844-2013 **Version:** 3

Type: Ordinance **Status:** Passed

File created: 7/10/2013 **In control:** Zoning Committee

On agenda: 7/22/2013 **Final action:** 7/25/2013

Title: To rezone 1454 CHESAPEAKE AVENUE (43212), being 0.82± acres located on the north and south sides of Chambers Road, 640± feet west of Northwest Boulevard, From: R, Rural District, To: AR-1, Apartment Residential District and to declare an emergency (Rezoning # Z13-021).

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD1844-2013attachments, 2. Notice Of Public Hearing - Council Mtg20130722

| Date | Ver. | Action By | Action | Result |
|-----------|------|-----------------------|-----------------------------------|--------|
| 7/25/2013 | 3 | ACTING CITY CLERK | Attest | |
| 7/24/2013 | 3 | ACTING MAYOR | Signed | |
| 7/22/2013 | 3 | COUNCIL PRESIDENT | Signed | |
| 7/22/2013 | 1 | Zoning Committee | Amended as submitted to the Clerk | Pass |
| 7/22/2013 | 1 | Zoning Committee | Amended to Emergency | Pass |
| 7/22/2013 | 1 | Zoning Committee | Approved as Amended | Pass |
| 7/15/2013 | 1 | Columbus City Council | Read for the First Time | |

Rezoning Application: Z13-021

APPLICANT: Guy Williams; c/o Jeffrey L. Brown & David L. Hodge, Attys.; Smith and Hale; 37 West Broad Street, Suite 725; Columbus, OH 43215.

PROPOSED USE: Multi-unit residential development.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (6-0) on May 9, 2013.

FIFTH BY NORTHWEST AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. Given the presence of the daycare center to the north, the AR-3, Apartment Residential zoning to the south, the applicant's ownership of the property to the east and the multi-unit building one parcel to the west, Staff finds the proposed use and zoning compatible with the zoning pattern and development pattern of the area. The existing single-unit dwelling to the west on the north side of Chesapeake Avenue will abut a park, so Staff finds no compatibility issue with that. Furthermore, Staff finds the proposed use to be compatible with the recommendation of the *Fifth by Northwest Neighborhood Plan* (2009).

To rezone **1454 CHESAPEAKE AVENUE (43212)**, being 0.82± acres located on the north and south sides of Chambers Road, 640± feet west of Northwest Boulevard, **From:** R, Rural District, **To:** AR-1, Apartment Residential District **and to declare an emergency** (Rezoning # Z13-021).

WHEREAS, application #Z13-021 is on file with the Department of Building and Zoning Services requesting rezoning of 0.82± acres from R, Rural District, to the AR-1, Apartment Residential District; and

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

WHEREAS, the Fifth By Northwest Area Commission recommends approval of said zoning change; and

WHEREAS, the City Departments recommend approval of said zoning change because given the presence of the daycare center to the north, the AR-3, Apartment Residential zoning to the south, the applicant's ownership of the property to the east and the multi-unit building one parcel to the west, Staff finds the proposed use and zoning compatible with the zoning pattern and development pattern of the area. The existing single-unit dwelling to the west on the north side of Chesapeake Avenue will abut a park, so Staff finds no compatibility issue with that. Furthermore, Staff finds the proposed use to be compatible with the recommendation of the *Fifth by Northwest Neighborhood Plan* (2009)., 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; 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:

1454 CHESAPEAKE AVENUE (43212), being 0.82± acres located on the north and south sides of Chambers Road, 640± feet west of Northwest Boulevard, and being more particularly described as follows:

Legal Description

Situated in the State of Ohio, County of Franklin, City of Columbus, Quarter Township 3, Township 1, Range 18, U.S.M.D, and being all of Lots 50, 51, 52, 74, and 75 of "Lincoln Heights Addition" subdivision recorded in Plat Book 7, Page 250, said lots being in the name of Guy Williams, Jr. and described as follows:

Beginning in the north right-of-way line of Chesapeake Avenue and at the southwest corner of said Lot 50 of said "Lincoln Heights Subdivision";

Thence Easterly, along said north right-of-way line, about 120 feet to the southeast corner of said Lot 52;

Thence Northerly, along the east line of said Lot 52, about 175 feet to the northeast corner of said Lot 52, and in the south right-of-way line for an Alley;

Thence Westerly, along said south right-of-way line, about 120 feet to the northwest corner of said Lot 50;

Thence Southerly, along the west line of said Lot 50, about 175 feet to the *Point of Beginning*. Containing approximately .51 acres of land, more or less.

This description was written for zoning purposes only.

Tax parcel Nos. 130-003897, 130-001506, 130-001394.

Beginning in the south right-of-way line of Chesapeake Avenue and at the northwest corner of said Lot 74 of said "Lincoln Heights Subdivision";

Thence Easterly, along said south right-of-way line, about 80 feet to the northeast corner of said Lot 75;

Thence Southerly, along the east line of said Lot 75, about 163 feet to the southeast corner of said Lot 75, and in the north right-of-way line for an Alley;

Thence Westerly, along said north right-of-way line, about 80 feet to the southwest corner of said Lot 74;

Thence Northerly, along the west line of said Lot 74, about 162 feet to the *Point of Beginning*. Containing approximately .31 acres of land, more or less.

This description was written for zoning purposes only.

Tax parcel Nos. 130-011773, 130-006130.

To Rezone From: R, Rural District,

To: AR-1, Apartment Residential District

SECTION 2. That a Height District of ~~thirty-five (35)~~ **sixty (60)** feet is hereby established on the AR-1, Apartment Residential District on this property.

SECTION 3. That the Director of the Department of Building and Zoning Services be, and is hereby authorized and directed to make the said changes on the said original zoning map in the office of the Department of Building and Zoning Services.

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.