



## Legislation Details (With Text)

**File #:** 1184-2016      **Version:** 1

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

**File created:** 4/22/2016      **In control:** Zoning Committee

**On agenda:** 5/16/2016      **Final action:** 5/19/2016

**Title:** To grant a Variance from the provisions of Sections 3333.04, AR-O Permitted Uses; and 3361.02, CPD Permitted Uses, of the Columbus City Codes; for the property located at 5637 EDWARDS FARMS ROAD (43016), to conform a petroleum pipeline utility station and permit a proposed tank as a system safety upgrade in the AR-O, Apartment Office and CPD, Commercial Planned Development Districts (Council Variance # CV16-016).

### Sponsors:

### Indexes:

### Code sections:

**Attachments:** 1. ORD1184-2016.Attachments, 2. ORD1184-2016.Labels

Date	Ver.	Action By	Action	Result
5/19/2016	1	CITY CLERK	Attest	
5/17/2016	1	MAYOR	Signed	
5/16/2016	1	COUNCIL PRESIDENT	Signed	
5/16/2016	1	Zoning Committee	Approved	Pass
5/9/2016	1	Columbus City Council	Read for the First Time	

### Council Variance Application: CV16-016

**APPLICANT:** Steve Buddelmeyer, Marathon Pipeline, LLC; 539 South Main Street; Findlay, OH 45840.

**PROPOSED USE:** Petroleum pipeline utility station.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. This site is an approximately 1,184' long narrow strip of land that runs adjacent and parallel to Interstate 270. The site is occupied with a petroleum pipeline utility station that was installed in 1971 and has remained non-conforming since annexation in 1988. The rest of the site was subsequently developed with mixed residential uses in the AR-O, Apartment Residential/Office, and the CPD, Commercial Planned Development Districts. The station lies within a utility easement and consists of a small outbuilding and several above-grade pipes and valves within a fenced area. The variance is requested to conform the utility station and to permit the installation of a tank to serve as a system safety upgrade to protect the pipeline and station from abnormal operating conditions. The tank will not be used for storage and will be empty during normal operations. A variance is necessary because utility stations are permitted only in the I, Institutional District. Staff supports this request and notes that the utility station has long been established on this site while not negatively affecting nearby residential uses, and that the proposed tank is a necessary system safety upgrade for the pipeline.

To grant a Variance from the provisions of Sections 3333.04, AR-O Permitted Uses; and 3361.02, CPD Permitted Uses, of the Columbus City Codes; for the property located at **5637 EDWARDS FARMS ROAD (43016)**, to conform a petroleum pipeline utility station and permit a proposed tank as a system safety upgrade in the AR-O, Apartment Office

and CPD, Commercial Planned Development Districts (Council Variance # CV16-016).

**WHEREAS**, by application No. CV16-016, the owner of property at **5637 EDWARDS FARMS ROAD (43016)**, is requesting a Council variance to conform a petroleum pipeline utility station and permit the installation of tank to serve as a system safety upgrade in the AR-O, Apartment Office and CPD, Commercial Planned Development Districts; and

**WHEREAS**, Section 3333.04, AR-O Permitted Uses, prohibits a pipeline station, while the applicant proposes to conform an existing pipeline station and install a tank to serve as a system safety upgrade; and

**WHEREAS**, Section 3361.02, CPD Permitted Uses, prohibits a pipeline station, while the applicant proposes to conform an existing pipeline station and install a tank to serve as a system safety upgrade; and

**WHEREAS**, The City Departments recommend approval because the utility station has long been established on this site while not negatively affecting nearby residential uses, and the proposed tank is a necessary system safety upgrade for the pipeline; 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 the adjacent property, unreasonably increase the congestion of public streets, increase the danger of fires, endanger the public safety, unreasonably diminish or impair established property values within the surrounding area, or in any other respect 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 owner of the property located at **5637 EDWARDS FARMS ROAD (43016)**, in using said property as desired; now, therefore:

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:**

**SECTION 1.** The granting of said variances from the provisions of Sections 3333.04, AR-O Permitted Uses; and 3361.02, CPD Permitted Uses, of the Columbus City Codes, are hereby granted for the property located at **5637 EDWARDS FARMS ROAD (43016)**, insofar as said sections prohibit a petroleum pipeline utility station in the AR-O, Apartment Office, and CPD, Commercial Planned Development Districts, said property being more particularly described as follows:

**5637 EDWARDS FARMS ROAD (43016)**, being 1.02± acres located on the west side of Edwards Farms Road, 620± feet north of Hayden Run Road, and being more particularly described as follows:

**Property Description:**

**Hayden Run Station**

Beginning at a point on the east Right of Way line of I-270 and also being the northernmost point of tract "A" which is fifty (50) feet southerly of Ashland's existing pipe line: thence northerly a distance of one hundred (100) feet along the east Right of Way line of I-270 to a point fifty (50) feet northerly of Ashland's existing pipe line thence easterly one hundred (100) feet at a right angle to I-270 to a point: thence southerly one hundred (100) feet parallel to the east Right of Way line of I-270 to a point; thence westerly one hundred (100) feet at a right angle to I-270 to the east Right of way line of I-270 and the place of beginning, containing .23 acres more or less.

**Hayden Run Station Access Road**

Beginning on the North Right of Way line of Hayden Run Road at a point intersecting the East Right of Way line of I-270 thence in a northerly direction along the east Right of Way line of I-270 for a distance of approximately 1,084 feet; which is exactly fifty feet southerly of Ashland's existing pipeline; thence easterly thirty feet; thence in a southerly direction and parallel to the Right of Way line of I-270 a distance of approximately 934 feet; thence in a south - southeasterly direction approximately 100 feet to a point which is 50 feet east of the Right of Way line of I-270 and 50 feet north of the Right of

Way line of Hayden Run Road; thence in a southerly direction 50 feet to the north Right of Way line of Hayden Run Road, thence westerly a distance of 50 feet to the east Right of Way line of I-270 and the north Right of Way line of Hayden Run Road and being the place of beginning, containing .79 acres more or less.

**SECTION 2.** That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for a 10,000 square-foot petroleum pipeline station, or those uses permitted in the AR-O, Apartment Office, and CPD, Commercial Planned Development Districts.

**SECTION 3.** That this ordinance shall take effect and be in force from and after the earliest period allowed by law.