



## Legislation Details (With Text)

**File #:** 2485-2016      **Version:** 1

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

**File created:** 9/26/2016      **In control:** Zoning Committee

**On agenda:** 10/17/2016      **Final action:** 10/20/2016

**Title:** To rezone 4080 CLEVELAND AVENUE (43224), being 0.33± acres located on the east side of Cleveland Avenue, 815± feet north of Ferris Road, From: ARLD, Apartment Residential District, To: C-2, Commercial District (Rezoning # Z16-031).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD2485-2016.Attachments, 2. ORD2485-2016.Labels

Date	Ver.	Action By	Action	Result
10/20/2016	1	MAYOR	Signed	
10/17/2016	1	COUNCIL PRESIDENT	Signed	
10/17/2016	1	Zoning Committee	Waive the 2nd Reading	Pass
10/17/2016	1	Zoning Committee	Approved	Pass

### Rezoning Application Z16-031

**APPLICANT:** Ryan & Kindra Esau; 12455 Kiousville Palestine Road; Mt. Sterling, OH 43143.

**PROPOSED USE:** Office development.

**DEVELOPMENT COMMISSION RECOMMENDATION:** Approval (4-0) on September 8, 2016.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The site consists of a single parcel zoned ARLD, Apartment Residential District, and is developed with a single-unit dwelling. The requested C-2, Commercial District will allow office development. The site is located within the boundaries of the *Northland I Area Plan* (2014) which recommends “medium-high density mixed residential” for this location. Although the request is inconsistent with the Plan recommendation, the C-2 district uses are compatible with the density and development standards of adjacent commercial and residential developments along Cleveland Avenue.

To rezone **4080 CLEVELAND AVENUE (43224)**, being 0.33± acres located on the east side of Cleveland Avenue, 815± feet north of Ferris Road, **From:** ARLD, Apartment Residential District, **To:** C-2, Commercial District (Rezoning # Z16-031).

**WHEREAS**, application #Z16-031 is on file with the Department of Building and Zoning Services requesting rezoning of 0.34± acres from ARLD, Apartment Residential District, to the C-2, Commercial District; and

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

**WHEREAS**, the City Departments recommend approval of said zoning change because the requested C-2, Commercial District is consistent with the zoning and development patterns of the area; 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:

**4080 CLEVELAND AVENUE (43224)**, being 0.34± acres located on the east side of Cleveland Avenue, and being more particularly described as follows:

Situated in the county of Franklin, in the state of Ohio, and in the City of Columbus, and being located in the Second Quarter, Township 1, Range 17, United States Military Lands, and being all of the Fred L. Bush tract of record in Deed Book 2598, page 354, all references being to records of the Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

Beginning at a point in the centerline of Cleveland Avenue at the southwesterly corner of the Fred L. Bush tract of record in Deed Book 2598, page 354; thence along the centerline of said Cleveland Avenue N. 0 deg. 12' W, 107.63 feet to a point; thence N. 89 deg. 48' E., 30.0 feet to a point; thence S. 76 deg. 17' 29" E., 56.66 feet to a point; thence N. 89 deg. 48' E., 93.44 feet to a point; thence S. 0 deg. 12' E., 120.00 feet to a point in the southerly line of the said Bush tract; thence along the southerly line of the said Bush tract and northerly line of the Fisher 3.75 acre tract N. 81 deg. 54' 48" W., 180.32 feet to the place of beginning containing 0.456 acres, more or less, and subject to all legal highways and/or easements of previous record.

**EXCEPTING THEREFROM THE FOLLOWING: (PARCEL NUMBER 19WD)**

Situated in the State of Ohio, County of Franklin, City of Columbus, in Quarter Township 2, Township 1 North Range 17 West, United State Military Lands, and being a part of a 0.456 acre tract lying on the east side of Cleveland Avenue conveyed to the Grantor by Deed of record in Official Record Volume 24699, Page E04, Recorder's Office, Franklin County, Ohio, and being more particularly bounded and described as follows:

Commencing at the point of intersection of the centerline of Cleveland Avenue, and the centerline of Lehner Road, thence with the centerline of Cleveland Avenue, North 3 deg. 44' 00" East, a distance of 69.38 feet to a point, the Grantor's southwesterly property corner, and the POINT OF BEGINNING;

thence, continuing with the centerline of Cleveland Avenue, North 3 deg. 44' 00" East, a distance of 107.63 feet to a point, the Grantor's northwesterly property corner;

thence, leaving the centerline of Cleveland Avenue and the Grantor's northerly property line, South 86 deg. 16' 00" East, a distance of 30.00 feet to a point on the existing easterly right of way line of Cleveland Avenue;

thence, leaving the said right of way line and with the Grantor's northerly property line South 72 deg. 21' 29" East, a distance of 15.45 feet to a point on the proposed easterly right of way line of Cleveland Avenue;

thence, leaving the said northerly property line and with the proposed right of way line, South 3 deg. 44' 00" West, a distance of 110.47 feet to a point on the Grantor's southerly property line;

thence leaving the proposed right of way line and with the Grantor's southerly property line, North 77 deg. 58' 47" West, passing the existing right of way line at 15.16 feet, in all a distance of 45.48 feet to the POINT OF BEGINNING.

The above described tract contains 0.1139 acre, more or less, of which the present roadway occupies 0.0756 acres.

Bearings for the above description a derived from a GPS survey by the Franklin County Engineer originating on Franklin County monuments Frank 63 and Frank 64, and are based on the Ohio State Plane Coordinate System, South Zone, North American Datum of 1983.

The above description was prepared by Benatec Associates by Rodney K. Bennett, Ohio Registered Surveyor Number 6007.

**To Rezone From:** ARLD, Apartment Residential District

**To:** C-2, Commercial District

**SECTION 2.** That a Height District of thirty-five (35) feet is hereby established on the C-2, Commercial 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.