



## Legislation Details (With Text)

**File #:** 0845-2017      **Version:** 2

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

**File created:** 3/24/2017      **In control:** Zoning Committee

**On agenda:** 4/17/2017      **Final action:** 4/20/2017

**Title:** To grant a Variance from the provisions of Section 3312.27, Parking setback line, of the Columbus City Codes; for the property located at 6054 SHOOK ROAD (43137), to permit a parking lot with reduced setbacks in the L-M, Limited Manufacturing District (Council Variance # CV16-083) and to declare an emergency.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD0845-2017\_Attachments, 2. ORD0845-2017\_Labels

Date	Ver.	Action By	Action	Result
4/20/2017	2	CITY CLERK	Attest	
4/19/2017	2	MAYOR	Signed	
4/17/2017	2	COUNCIL PRESIDENT	Signed	
4/17/2017	1	Zoning Committee	Amended to Emergency	Pass
4/17/2017	1	Zoning Committee	Approved as Amended	Pass

### Council Variance Application: CV16-083

**APPLICANT:** Pizzuti/Creekside CC, LLC; c/o Michael T. Shannon and Eric Zartman, Attys.; 500 South Front Street, Suite 1200; Columbus, OH 43215.

**PROPOSED USE:** Reduced parking setback line for existing office/warehouse development.

**FAR SOUTH COLUMBUS AREA COMMISSION RECOMMENDATION:** Approval.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The applicant has received a recommendation of approval from Staff and the Development Commission for a concurrent rezoning (Ordinance # 0844-2017; Z16-087) to the L-M, Limited Manufacturing District. The site has recently been annexed from Hamilton Township and is developed with an office/warehouse building. The requested variance would reduce the required parking setback line from 25 feet to 24 feet. Staff finds the proposal supportable because the variance is reflective of an as-built condition and will allow the development to be in compliance with parking setback requirements.

To grant a Variance from the provisions of Section 3312.27, Parking setback line, of the Columbus City Codes; for the property located at **6054 SHOOK ROAD (43137)**, to permit a parking lot with reduced setbacks in the L-M, Limited Manufacturing District (Council Variance # CV16-083) **and to declare an emergency.**

**WHEREAS**, by application # CV16-083, the owner of property at **6054 SHOOK ROAD (43137)**, is requesting a Council variance to vary the parking setback line in the L-M, Limited Manufacturing District; and

**WHEREAS**, Section 3312.27(2), Parking setback line, requires a parking setback line of 25 feet, while the applicant proposes to maintain a parking setback line of 24 feet; and

**WHEREAS**, the Far South Columbus Area Commission recommends approval; and

**WHEREAS**, City Departments recommend approval because the variance is reflective of an as-built condition and will allow the development to be in compliance with parking setback requirements; and

**WHEREAS**, said ordinance requires separate submission for all applicable permits and Certificates of Occupancy 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 **6054 SHOOK ROAD (43137)**, in using said property as desired;

**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 a variance from the provisions of Section 3312.27, Parking setback line, of the Columbus City Codes, is hereby granted for the property located at **6054 SHOOK ROAD (43137)**, insofar as said section prohibits a reduced parking setback line from 25 feet to 24 feet; said property being more particularly described as follows:

**6054 SHOOK ROAD (43137)**, being 21.27± acres located at the northwest corner of Shook Road and Rohr Road, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin, Township of Hamilton, Section 36, Township 4 North, Range 22 West, Congress Lands East of Scioto River, and being a 21.269 acre tract of land out of that 26.583 acre tract of land as described in a deed to Pizzuti/Creeside XX LLC of record in Instrument No. 201507270102226, all references to records are on file in the Recorder's Office, Franklin County, Ohio, said 21.269 acres being more particularly bounded and described as follows:

**COMMENCING for REFERENCE**, at a Franklin County Engineer's monument (FCGS 1661), found at an angle point in the centerline of Shook Road, having a varied width, said monument being at an angle point in the Western line of said 26.583 acre tract;

Thence along said centerline of Shook Road and Western line of said 26.583 acre tract, bearing South 03°55'49" West, a distance of 150.21 feet to a railroad spike found thereon, the same being at the Southwesterly corner of said 26.583 acre tract and also being at the Northwestern corner of a 6.255 acre tract of land conveyed to Lululemon USA, Inc. of record in Instrument No. 201312030198946;

Thence along the Southern line of said 26.583 acre tract and Northern line of said 6.255 acre tract, bearing South 86°08'44" East, a distance of 30.00 feet to an iron pin set thereon, the same being on the Easterly Right-of-Way line of

said Shook Road of record in Instrument No. and the **TRUE PLACE OF BEGINNING** for said 21.269 acre tract herein to be described;

Thence along said Easterly Right-of-Way line of said Shook Road the following (4) four courses:

1. Bearing North 17°40'04" East, a distance of 207.83 feet to an iron pin set thereon;
2. Along a non-tangent curve, deflecting to the right, with a radius of 1042.00 feet, a tangent length of 81.81 feet, a delta angle of 08°58'42", the chord of which bears North 36°45'42" East for a distance of 163.11 feet, along said arc for a distance of 163.28 feet to an iron pin set;
3. Bearing North 41°15'02" East, a distance of 206.10 to an iron pin set at an angle point;
4. Bearing North 39°17'34" East, a distance of 27.34 feet to an iron pin set thereon, the same being at the original Easterly Right-of-Way line of said Shook Road;

Thence continuing along said Easterly Right-of-Way line of said Shook Road the following (2) two courses:

1. Bearing North 41°36'39" East, a distance of 640.34 feet to an iron pin set at an angle point therein;
2. Bearing North 80°28'57" East, a distance of 352.32 feet to an iron pin set at an angle point therein, the same being on the Southern Right-of-Way line of Rohr Road;

Thence along said Southern Right-of-Way line of said Rohr Road, bearing South 81°48'07" East, a distance of 210.58 feet to 5/8" rebar found thereon, the same being at a Northeastern corner of said 26.583 acre tract and at the Northwestern corner of a 5.312 acre tract of land described in a deed to VSP Ceres, Inc. of record in Instrument No. 201612190174205;

Thence along the Western line of said 5.312 acre tract and along the Eastern line of said 26.583 acre tract the following (5) five courses:

1. Bearing South 03°51'55" West, a distance of 466.95 feet to a pk nail found at an angle point therein;
2. Bearing South 48°33'49" West, a distance of 137.16 feet to a 3/4" iron pipe found at an angle point;
3. Bearing South 03°54'13" West, a distance of 337.31 feet to a 3/4" iron pipe at an angle point;
4. Bearing North 86°05'54" West, a distance of 60.00 feet to a 3/4" iron pipe found at an angle point;
5. Bearing South 03°51'26" West, a distance of 194.84 feet to a 3/4" iron pin found with cap marked "Franklin" at the Southeastern corner of said 26.583 acre tract, the same being at the Southwestern corner of a 20.435 acre tract of land described in a deed to Exeter 2525 Rohr, LLC of record in Instrument No. 201410300143521 and further being on the Northern line of a 16.829 acre tract of land described in a deed to Big Box Property Owner, LLC of record in Instrument No. 201512290181404;

Thence along the Southern line of said 26.583 acre tract and said Northern line of the 16.829 acre tract, bearing North 86°08'44" West and passing along the Northern line of the aforementioned 6.255 acre tract a distance of 1067.20 feet to an iron pin set thereon and the **TRUE PLACE OF BEGINNING**, containing 21.269 acres, more or less.

**Basis of Bearings:** Bearings are based on the centerline of Shook Road as established by GPS observation of FCGS monument #9927 in the centerline of Shook Road and FCGS monument #5463 in the centerline of Rohr Road and determines the centerline of Shook Road to be N 3°55'39" E.

The statement iron pin set refers to a 5/8" X 30" iron rebar set vertically with surveyor's I.D. cap marked "Rolling~Hocevar".

The foregoing description has been prepared by Rolling & Hocevar, Inc. under the direct supervision of Andrew G. Planet, Registered Professional Surveyor Number 7802.

**SECTION 2.** That this ordinance is conditioned on and shall remain in effect only for so long as said property is used as an office/warehouse building, or those uses permitted in the L-M, Limited Manufacturing District.

**SECTION 3.** ~~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.**