



## Legislation Details (With Text)

**File #:** 1689-2017      **Version:** 1

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

**File created:** 6/19/2017      **In control:** Zoning Committee

**On agenda:** 7/10/2017      **Final action:** 7/12/2017

**Title:** To grant a Variance from the provisions of Section 3361.03, Development plan, for the property located at 1920 SCHROCK ROAD (43229), to permit the expansion of a private club / fraternal organization in the CPD, Commercial Planned Development District, and to repeal Ordinance # 1107-2003, passed July 14, 2003 (Council Variance # CV17-010).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD1689-2017.Attachments, 2. ORD1689-2017.Labels

Date	Ver.	Action By	Action	Result
7/12/2017	1	CITY CLERK	Attest	
7/12/2017	1	MAYOR	Signed	
7/10/2017	1	COUNCIL PRESIDENT	Signed	
7/10/2017	1	Zoning Committee	Waive the 2nd Reading	Pass
7/10/2017	1	Zoning Committee	Approved	Pass

**Council Variance Application: CV17-010**

**APPLICANT:** Worthington Lodge #1427, Loyal Order of the Moose; c/o Michael J. O'Reilly, Atty.; 30 Hill Road South, Suite B; Pickerington, OH 43147.

**PROPOSED USE:** Expand private club / fraternal organization use.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The site is developed with a strip shopping center and zoned in the CPD, Commercial Planned Development District (Ord # 1091-94; Z93-128). Ordinance # 1107-2003, passed July 14, 2003 (Council Variance # CV03-012), permitted the property to be used for a private club / fraternal organization with a maximum of 3,705 square feet, in the CPD, Commercial Planned Development District, which had prohibited such uses. Also included within CV03-012 are conditions for the number of parking spaces, hours of operation, and outdoor events which will be carried over. Now, the applicant proposes to expand the area of the private club / fraternal organization use to 6,505 square feet, an additional 2,800 square feet. The site is within the planning area of the *Northland I Area Plan* (2014), which recommends "Neighborhood Commercial" uses at this location. The private club / fraternal organization use is not viewed as an incompatible use at this location, and simply expands the permitted square footage.

To grant a Variance from the provisions of Section 3361.03, Development plan, for the property located at **1920 SCHROCK ROAD (43229)**, to permit the expansion of a private club / fraternal organization in the CPD, Commercial Planned Development District, and to repeal Ordinance # 1107-2003, passed July 14, 2003 (Council Variance # CV17-010).

**WHEREAS**, by application # CV17-010, the owner of property at **1920 SCHROCK ROAD (43229)**, is requesting a Council variance to expand a private club / fraternal organization permitted by CV03-012 in the CPD, Commercial Planned Development District; and

**WHEREAS**, Section 3361.03(D), Development plan, reports the overall concept of a proposed development, which for this property specifically includes the prohibited use of private clubs per Ordinance # 1091-94, while the applicant proposes to expand the tenant space of a private club / fraternal organization permitted by CV03-012; and

**WHEREAS**, City Departments recommend approval as the use is not viewed as incompatible at this location and simply expands the square footage of the existing permitted private club / fraternal organization; and

**WHEREAS**, said ordinance requires separate submission for all applicable permits and Certificate 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 **1920 SCHROCK ROAD (43229)**, 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 Section 3361.03(D), Development plan, is hereby granted for the property located at **1920 SCHROCK ROAD (43229)**, in that said development plan prohibits private club use, including fraternal organizations, in the CPD, Commercial Planned Development District; said property being more particularly described as follows:

**1920 SCHROCK ROAD (43229)**, being 2.73± acres located on the north side of Schrock Road at the terminus of Sharon Woods Boulevard, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin, City of Columbus, being in Section 1, Township 2, Range 18, United States Military Lands, containing 2.752 acres of land, more or less, said 2.752 acres being part of Lot 915 of Sharon Woods Section 8, of record in Plat Book 45, Pages 82 and 83, Recorder's Office, Franklin County, Ohio, said 2.752 acres of land being more particularly described as follows:

Beginning, for reference, at a point in a curve at the centerline intersection of (New) Schrock Road and Sharon Woods Boulevard (70 feet in width) as said intersection is shown and delineated upon the recorded plat of said Sharon Woods Section 8; thence northeastwardly with the centerline of said (New) Schrock Road, the same being the arc of a curve to the left having a radius of 954.93 feet, a central angle of 4° 42' 04" and a chord that bears N 66° 56' 18" E, a chord distance of 78.33 feet to a point of compound curvature; thence northeastwardly, with the centerline of said (New) Schrock Road, the same being the arc of a curve to the left having a radius of 1909.86 feet, a central angle of 6° 00' 00" and a chord that bears N 61° 35' 16" E, a chord distance of 199.91 feet to the point of tangency; thence N 58° 35' 16" E, with the centerline of said (New) Schrock Road, a distance of 39.74 feet to a point in a northerly boundary of said Sharon Woods Section 8, the same being in the eastwardly extension of the southerly right-of-way line of Interstate Route 270; thence N 76° 24' 15" W, with the boundary of said Sharon Woods Section 8 and with the eastwardly extension of the southerly right-of-way line of said Interstate Route 270, a distance of 122.21 feet to the true point of beginning in the northerly line of said Lot 915 at the northernmost corner of the 0.248 acre tract of land referred to as PARCEL 12 WD1

and appropriated for additional right-of-way purposes for (New) Schrock Road;

Thence from said true point of beginning, with a northwesterly boundary of said PARCEL 12-WD1, crossing part of said Lot 915, the following two (2) courses and distances;

S 60° 35' 25" W, a distance of 176.99 feet to a point;

S 71° 37' 26" W, a distance of 293.16 feet to an angle point in the northerly right-of-way line of said (New) Schrock Road;

Thence N 88° 48' 30" W, with the southerly line of said Lot 915 and with the northerly right-of-way line of said (New) Schrock Road, a distance of 213.83 feet to the southwesterly corner of said Lot 915;

Thence northwardly and northeastwardly with the westerly and northwesterly boundary of said Lot 915, the following three (3) courses and distances:

1. N 1° 27' 30" E, a distance of 195.22 feet to a point;
2. N 59° 16' 30" E, a distance of 158.60 feet to a point;
3. N 75° 32' 30" E, a distance of 42.99 feet to a point in the southerly right-of-way line of said Interstate Route 270;

Thence S 76° 24' 15" E, with the northerly line of said Lot 915 and with the southerly right-of-way line of said Interstate Route 270, a distance of 476.60 feet to the true point of beginning and containing 2.752 acres of land, 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 fraternal organization, not to exceed 6,505 square feet of space on the east end of the existing shopping center structure, or those uses permitted in the CPD, Commercial Planned Development District per Ordinance # 1091-94 (Z93-128).

**SECTION 3.** That this ordinance is further conditioned upon the fraternal organization providing at least 150 parking spaces.

**SECTION 4.** That this ordinance is further conditioned upon the hours of operation for the fraternal organization be Monday through Thursday 11:00 AM-11:00 PM, and Friday through Saturday, 12:00 PM-1:00 AM. If the organization is open for a special event on Sunday, the hours of operation will be 11:00 AM-11:00 PM.

**SECTION 5.** That this ordinance is further conditioned upon no outdoor seating being permitted for the organization in conjunction with the purchase of food or alcohol. There may be limited outdoor events that are scheduled for fund raising purposes only, and may occur on Saturday 12:00 PM-11:00 PM, or Sunday, 11:00AM-10:00PM, and be limited to only four times per year.

**SECTION 6.** That this ordinance is further conditioned upon the applicant obtaining all applicable permits and a Certificate of Occupancy for the proposed new use of the existing building.

**SECTION 7.** That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

**SECTION 8.** That Ordinance # 1107-2003, passed July 14, 2003, be and is hereby repealed.