



## Legislation Details (With Text)

**File #:** 1832-2019      **Version:** 2

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

**File created:** 6/26/2019      **In control:** Zoning Committee

**On agenda:** 7/15/2019      **Final action:** 7/17/2019

**Title:** To grant a Variance from the provisions of Sections 3332.029, SR suburban residential; 3332.29, Height district; and 3353.05(D)(4), C-2 district development limitations, of the Columbus City Codes; for the property located at 4171 DRESDEN ST (43224), to permit a monopole telecommunication antenna with reduced development standards in the SR, Suburban Residential District (Council Variance #CV19-036) and to declare an emergency.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD1832-2019.Attachments.pdf, 2. ORD1832-2019.Labels.pdf

Date	Ver.	Action By	Action	Result
7/17/2019	2	CITY CLERK	Attest	
7/16/2019	2	MAYOR	Signed	
7/15/2019	2	COUNCIL PRESIDENT	Signed	
7/15/2019	1	Zoning Committee	Amended to Emergency	Pass
7/15/2019	1	Zoning Committee	Approved as Amended	Pass

**Council Variance Application: CV19-036**

**APPLICANT:** St. Francis DeSales High School; c/o David Hodge, Atty.; 8000 Walton Parkway, Suite 260; New Albany, OH 43054.

**PROPOSED USE:** Monopole telecommunication antenna.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. This request will permit the construction of a 120-foot high monopole telecommunication antenna on the site of a school facility in the SR, Suburban Residential District. A variance is necessary because monopole telecommunications antennas are not permitted in the SR, Suburban Residential District. The request includes additional variances to increase height and reduce setback requirements. The site is within the planning area of the *Northland I Area Plan* (2014), which recommends "Low-Medium Density Residential" uses at this location. While the Plan does not address monopole antennas, it does recommend appropriate landscaping and buffering consistent with its surroundings. The proposed monopole and the associated variances can be supported as the mechanical equipment is located on the interior of the school site and appropriately screened. Several institutional uses have incorporated monopoles within their facilities with no adverse effect on surrounding neighborhoods.

To grant a Variance from the provisions of Sections 3332.029, SR suburban residential; 3332.29, Height district; and 3353.05(D)(4), C-2 district development limitations, of the Columbus City Codes; for the property located at **4171 DRESDEN ST (43224)**, to permit a monopole telecommunication antenna with reduced development standards in the SR, Suburban Residential District (Council Variance #CV19-036) **and to declare an emergency.**

**WHEREAS**, by application #CV19-036, the owner of property at **4171 DRESDEN ST (43224)**, is requesting a Variance to permit a monopole telecommunication antenna with reduced development standards in the SR, Suburban Residential District; and

**WHEREAS**, Section 3332.029, SR suburban residential district, does not permit monopole telecommunication antennas to be located within said district, while the applicant proposes to locate a monopole telecommunication antenna on the site of the existing school facility; and

**WHEREAS**, Section 3332.29, Height district, requires that within a 35-foot height district, no building or structure shall be erected to a height in excess of 35 feet, while the applicant proposes a monopole telecommunication antenna with a height of 120 feet; and

**WHEREAS**, Section 3353.05(D)(4), C-2 district development limitations, requires that all monopole telecommunication antennas and support structures be setback 200 percent of the total height of the antenna from all residentially zoned districts, or in this case 240 feet, from all residentially-zoned districts, while the applicant proposes a setback of 209± feet from the north and south property lines, a reduction of 31 feet; and

**WHEREAS**, City Departments recommend approval because locating the monopole within the school facility complex does not have the negative impact that introducing a new monopole in a residential neighborhood might. Furthermore, the monopole is located on the interior of the school site, the mechanical equipment will be screened appropriately, and several institutional uses have incorporated monopoles within their facilities with no adverse effect on surrounding neighborhoods; and

**WHEREAS**, said ordinance requires separate submission for all applicable permits and Certificate of Zoning Clearance 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 roads, 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 **4171 DRESDEN ST (43224)**, in using said property as desired 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 a variance from the provisions of Sections 3332.029, SR suburban residential district; 3332.29, Height district; and 3353.05(D)(4), C-2 district development limitations, of the Columbus City Codes, is hereby granted for the property located at **4171 DRESDEN ST (43224)**, insofar as said sections prohibit a monopole telecommunication antenna in the SR, Suburban Residential District; an increased height from 35 feet to 120 feet; and a reduced monopole telecommunication antenna setback from 240 feet to 209± feet along the north and south property lines; said property being more particularly described as follows:

**4171 DRESDEN ST (43224)**, being 0.08± acres located on the interior of a parcel, 355± feet west of Dresden Street and 440± feet south of Shanley Drive, and being more particularly described as follows:

Tax Parcel No. 010-103218-00

Vertical Bridge Fenced Compound to be recorded

All that part of Quarter Township 1, Township 1, Range 18, U.S.M.L., City of Columbus, County of Franklin, Ohio, conveyed to Frederick F. Campbell, Bishop of the Catholic Diocese of Columbus in Instrument No. 2017040044928 and Instrument No. 20170400044924, described as; Commencing at a found iron at the Northwest corner of a parcel of land conveyed to Frederick F Campbell Bishop of the Roman Catholic Diocese of Columbus, instrument number 201704040044928, recorded April 4, 2017, Franklin County Recorder's Office; thence South 86°37'53" East 70.13 feet along the north line of said parcel to a point; thence South 03°22'08" West 174.58 feet TO THE PLACE OF BEGINNING OF THIS DESCRIPTION; thence continuing South 03°22'08" West 70.00 feet to a point; thence North 86°37'52" West 60.00 feet to a point; thence North 03°22'08" East 70.00 feet to a point; thence South 86°37'52" East 60.00 feet to the place of beginning of this description. Land Space contains 4,200.0 square feet, 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 monopole telecommunication antenna in accordance with the submitted plans, or those uses permitted in the SR, Suburban Residential District.

**SECTION 3.** That this ordinance is further conditioned on the Subject Site being developed in general conformance with the plan titled, "**ENLARGED SITE PLAN**," signed by Eric Zartman, Attorney for the Applicant, and dated June 17, 2019. The plan may be slightly adjusted to reflect engineering, topographical, or other site data developed at the time of the development and when engineering and architectural drawings are completed. Any slight adjustment to the plans shall be reviewed and may be approved by the Director of the Department of Building and Zoning Services, or a designee, upon submission of the appropriate data regarding the proposed adjustment. The specific locations of equipment within the Eco-Site compound shall be finalized at the time of Site Compliance review.

**SECTION 4.** That this ordinance is further conditioned upon the applicant obtaining all applicable permits and a Certificate of Zoning Clearance for the proposed use.

**SECTION 5.** ~~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.**