



## Legislation Details (With Text)

**File #:** 1209-2020      **Version:** 1

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

**File created:** 5/12/2020      **In control:** Zoning Committee

**On agenda:** 6/15/2020      **Final action:** 6/18/2020

**Title:** To grant a Variance from the provisions of Sections 3356.03, C-4 permitted uses; 3312.49, Minimum number of parking spaces required; 3363.41, Storage; 3372.704(D), Setback requirements; and 3372.707(F), Landscaping and screening, of the Columbus City Codes; for the property located at 3741 INDIANOLA AVE. (43214), to permit outdoor storage of lawn maintenance equipment and reduced development standards for an existing sales and service facility in the C-4, Commercial District (Council Variance #CV20-019).

### Sponsors:

### Indexes:

### Code sections:

**Attachments:** 1. ORD1209-2020.Attachments, 2. ORD1209-2020.Labels

Date	Ver.	Action By	Action	Result
6/18/2020	1	CITY CLERK	Attest	
6/17/2020	1	MAYOR	Signed	
6/15/2020	1	COUNCIL PRESIDENT	Signed	
6/15/2020	1	Zoning Committee	Waive the 2nd Reading	Pass
6/15/2020	1	Zoning Committee	Approved	Pass

### Council Variance Application: CV20-019

**APPLICANT:** Como Mower Service & Sales, LLC; c/o Michael T. Shannon, Atty.; 8000 Walton Parkway, Suite 260; New Albany, OH 43054.

**PROPOSED USE:** Outdoor storage of lawn maintenance equipment for an existing sales and service facility.

**CLINTONVILLE AREA COMMISSION RECOMMENDATION:** Approval.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The site is developed with a lawn maintenance equipment sales and service facility in the C-4, Commercial District. The requested Council variance will permit the outdoor storage of equipment, including a storage container. Variances for minimum number of parking spaces required, storage, setback requirements, and landscaping and screening are included in this request. The site is located within the Indianola Avenue Community Commercial Overlay and is within the planning area of the *Clintonville Area Plan* (2009), which recommends "Mixed Use" land uses for this location. The Plan also states that development should incorporate landscaping into the hardscape along commercial corridors. Planning staff is supportive of the proposed landscaping, and the proposal is consistent with the development pattern along this corridor.

To grant a Variance from the provisions of Sections 3356.03, C-4 permitted uses; 3312.49, Minimum number of parking spaces required; 3363.41, Storage; 3372.704(D), Setback requirements; and 3372.707(F), Landscaping and screening, of the Columbus City Codes; for the property located at **3741 INDIANOLA AVE. (43214)**, to permit outdoor storage of

lawn maintenance equipment and reduced development standards for an existing sales and service facility in the C-4, Commercial District (Council Variance #CV20-019).

**WHEREAS**, by application #CV20-019, the owner of property at **3741 INDIANOLA AVE. (43214)** is requesting a Council variance to permit enclosed and exterior storage of lawn maintenance equipment and reduced development standards for an existing sales and service facility in the C-4, Commercial District; and

**WHEREAS**, Section 3356.03, C-4 permitted uses, prohibits storage, while the applicant proposes outdoor and covered storage of lawn maintenance equipment, including a storage container, in conjunction with an existing sales and service facility, as shown on the site plan; and

**WHEREAS**, Section 3312.49, Minimum number of parking spaces required, requires 1 parking space per 250 square feet of retail space, or a total of 16 parking spaces for a 5,090 square feet of retail space and outdoor storage with the Community Commercial Overlay reduction, while the applicant proposes to provide a total of 8 parking spaces; and

**WHEREAS**, Section 3363.41, Storage, requires the open storage of materials be located at least 100 feet from any residential district, and 20 feet from other lot lines, while the applicant proposes outdoor storage of lawn maintenance equipment within 100 feet of adjacent residentially zoned properties, as shown on the site plan; and

**WHEREAS**, Section 3372.704(D), Setback requirements, requires a parking setback of no less than 25 feet along a primary street in the Community Commercial Overlay, while the applicant proposes a 20± foot setback along Indianola Avenue to accommodate the existing parking spaces in front of the retail building; and

**WHEREAS**, Section 3372.707(F), Landscaping and screening, requires that dumpsters be located directly behind the principal building in the Community Commercial Overlay, while the applicant proposes the dumpsters to be located in the southwestern area of the site, as shown on the site plan; and

**WHEREAS**, the Clintonville Area Commission recommends approval; and

**WHEREAS**, the City Departments recommend approval of the requested variances because the proposal includes adequate screening and landscaping for storage areas in conjunction with an existing lawn equipment sales and service facility, consistent with the *Clintonville Area Plan's* land use recommendations; and

**WHEREAS**, said ordinance requires separate submission for all applicable permits and a Certificate of Zoning Clearance for the proposed storage areas; 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 **3741 INDIANOLA AVE. (43214)**, in using said property as desired;

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

**SECTION 1.** That a variance from the provisions of Sections 3356.03, C-4 permitted uses; 3312.49, Minimum number of parking spaces required; 3363.41, Storage; 3372.704(D), Setback requirements; and 3372.707(F), Landscaping and screening, is hereby granted for the property located at **3741 INDIANOLA AVE. (43214)**, insofar as said sections prohibit outdoor and covered storage of lawn maintenance equipment in conjunction with an existing sales and service

facility, with a reduced number of parking spaces from 16 required to 8 provided spaces; outdoor storage within 100 feet of adjacent residentially zoned properties; a reduced parking setback from 25 feet to 20± feet; and dumpsters located in the southwestern area of the site; said property being more particularly described as follows:

**3741 INDIANOLA AVE. (43214)**, being 0.43± acres located at the northeast corner of Indianola Avenue and Acton Road, and being more particularly described as follows:

Situated in the County of Franklin, State of Ohio and City of Columbus:

Being Lots No. 97, 98, and 99 in Northridge Indianola Addition as the same are numbered and delineated upon the recorder plat thereof, of record in Plat Book 21, Page 5, Recorder's Office, Franklin County, Ohio.

Parcel No. 010-087405

Property Address: 3741 Indianola Ave., Columbus, Ohio

**SECTION 2.** That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for outdoor storage of equipment being repaired in conjunction with a lawn maintenance sales and service facility, or those uses in the C-4, Commercial District.

**SECTION 3.** That this ordinance is further conditioned on the Subject Site being developed in general conformance with the site plan titled, "**ZONING SITE PLAN FOR COMO MOWERS**," dated May 13, 2020, and signed by Michael T. Shannon, Attorney for the Applicant. 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 adjustments to the plan shall be subject to review and approval by the Director of the Department of Building and Zoning Services, or a designee, upon submission of the appropriate data regarding the proposed adjustment.

**SECTION 4.** That this ordinance is further conditioned on the applicant obtaining all applicable permits and a Certificates of Zoning Clearance for the proposed storage areas.

**SECTION 5.** That this ordinance shall take effect and be in force from and after the earliest period allowed by law.