



Legislation Details (With Text)

File #: 1292-2021 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 5/19/2021 **In control:** Zoning Committee

On agenda: 6/7/2021 **Final action:** 6/10/2021

Title: To rezone 972 HARMON AVE. (43223), being 0.72± acres located at the northeast corner of Harmon Avenue and Greenlawn Avenue, From: C-4, Commercial District, and R-4, Residential District, To: M, Manufacturing District (Rezoning #Z20-032).

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD1292-2021_Attachments, 2. ORD1292-2021_Labels

Date	Ver.	Action By	Action	Result
6/10/2021	1	CITY CLERK	Attest	
6/8/2021	1	MAYOR	Signed	
6/7/2021	1	COUNCIL PRESIDENT	Signed	
6/7/2021	1	Zoning Committee	Waive the 2nd Reading	Pass
6/7/2021	1	Zoning Committee	Approved	Pass

Rezoning Application: Z20-032

APPLICANT: HK Phillips Restoration, Inc.; c/o Jeffrey L. Brown, Atty.; Smith and Hale, LLC; 37 West Broad Street, Suite 460; Columbus, OH 43215.

PROPOSED USE: Contractor's storage yard.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (6-0) on December 10, 2020.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The 0.72± acre site consists of three parcels developed with multiple buildings and a contractor's storage yard, all operating as one entity, in the C-4, Commercial, and R-4, Residential districts. The site is subject to Code Violation Order #18470-07731 for establishing storage in the R-4 district in violation of an approved site plan and without zoning clearance. While the requested M, Manufacturing District is not completely consistent with the *West Franklinton Plan's* (2014), land use recommendation for "Community Commercial," the request is appropriate and compatible with the zoning pattern at the intersection of Harmon Avenue and Greenlawn Avenue. Additionally, the request results in the zoning map representing the uses occurring on site and will not add incompatible uses to the area. A concurrent Council variance (Ordinance #1293-2021; CV20-037) has been filed to include variances to aisle width, interior and perimeter parking lot landscaping and screening, building and parking setbacks, residential distance separation, and storage.

To rezone **972 HARMON AVE. (43223)**, being 0.72± acres located at the northeast corner of Harmon Avenue and Greenlawn Avenue, **From:** C-4, Commercial District, and R-4, Residential District, **To:** M, Manufacturing District (Rezoning #Z20-032).

WHEREAS, application #Z20-032 is on file with the Department of Building and Zoning Services requesting rezoning of 0.72± acres from C-4, Commercial District, and R-4, Residential District, to the M, Manufacturing District; and

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

WHEREAS, the City Departments recommend approval because the requested M, Manufacturing District is appropriate and compatible with the zoning and development pattern along intersection of Harmon Avenue and Greenlawn Avenue, results in the zoning map representing the uses occurring on the site, and does not add incompatible uses to 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:

972 HARMON AVE. (43223), being 0.72± acres located at the northeast corner of Harmon Avenue and Greenlawn 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:

Being Lot Number 1, 2, 60, 61 and 62, WHARTON PLACE, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 5, page 42 and 43, Recorder's Office, Franklin County, Ohio.

Together with the following described real estate:

Situate in the City of Columbus, Franklin County, Ohio. Being an alley fifteen (15) feet in width in the WHARTON PLACE ADDITION, recorded in Plat Book 5, Page 42 of the Franklin County Recorder's Office. Said alley being between Lot 60 and Lots 61, 62 of said Addition from the southerly right-of-way line of Wharton Avenue (50' right-of-way) to the northerly right-of-way line of a twenty (20) foot wide alley which runs east-west between Wharton Avenue and Greenlawn Avenue, being more particularly described as follows:

Beginning at a bent 1/2" iron pipe found at the southeast corner of Lot 61 where the westerly line of the fifteen (15) foot wide alley intersects the northerly right-of-way line of said twenty (20) foot alley, said point being the northeast corner of a part of that twenty (20) foot alley vacated by City Ordinance 1295-84;

Thence North 10 degrees 38 minutes 48 seconds West along the easterly line of Lot 61 and Lot 62, the westerly line of said fifteen (15) foot alley for a distance of 108.24 feet to a ¾" iron pipe previously set at the northeast corner of Lot 62, being on the southerly line of Wharton Avenue;

Thence North 78 degrees 05 minutes 00 seconds East along said southerly right-of-way line for a distance of 15.01 feet to a ¾" iron pipe previously set at the northwest corner of Lot 60;

Thence South 10 degrees 38 minutes 48 seconds East along the westerly line of Lot 60, the easterly right-of-way line of said fifteen (15) foot alley for a distance of 111.38 feet to a ¾" iron pipe previously set at the southwest corner of Lot 60;

Thence South 89 degrees 57 minutes 03 seconds West along the northerly right-of-way line of said twenty (20) foot alley for a distance of 15.27 feet to the Point of Beginning.

Said property contains 0.038 acres more or less.

This description prepared by Ahlers, Moe and Associates Inc. based on an actual survey in June 1995. The Basis of

bearings for this description and survey being the southerly right-of-way line of Wharton Avenue as North 78 degrees 05 minutes 00 seconds East, derived for the plat of WHARTON PLACE ADDITION, Plat Book 5, Page 42.

Less and Excepting the following described real estate:

Situated in the State of Ohio, County of Franklin, City of Columbus, being a part of Virginia Military Survey Number 422, also being a part of Lots 1, 2, 61 & 62 of the Wharton Place Addition Subdivision as recorded in Plat Book 5, Page 42, and being a part of that 20 foot wide alley as vacated by City of Columbus Ordinance No. 1295-84, conveyed to Harold K. Phillips Masonry Inc. by deed shown of record in Official Record 14676D12, all references being to those of record in the Recorder's Office, Franklin County, Ohio, being more particularly described as follows:

Beginning at an iron pin found marking the southeasterly corner of said Lot 2 in the existing northerly right-of-way line of Greenlawn Avenue (County Road No. 146);

Thence North 87 degrees 45 minutes 19 seconds West, along the southerly line of said Lots 1 & 2, and along the existing northerly right-of-way line of Greenlawn Avenue, a distance of 93.18 feet to a point marking the southwesterly corner of said Lot 1 in the existing easterly right-of-way line of Harmon Avenue;

Thence North 09 degrees 18 minutes 40 seconds West, along the westerly line of said Lots 1, 61 & 62, and the existing right-of-way line of Harmon Avenue, a distance of 253.62 feet to a point marking the northwesterly corner of said Lot 62 in the existing southerly right-of-way line of Wharton Avenue;

Thence North 80 degrees 11 minutes 55 seconds East, along the northerly line of said Lot 62, and along the existing southerly right-of-way line of Wharton Avenue, a distance of 5.00 feet to a point in the proposed easterly right-of-way line of Harmon Avenue;

Thence South 09 degrees 18 minutes 40 seconds East, along the proposed easterly right-of-way line of Harmon Avenue, a distance of 173.25 feet to an angle point in the proposed easterly right-of-way line of Harmon Avenue;

Thence South 16 degrees 26 minutes 07 seconds East, along the proposed easterly right-of-way line of Harmon Avenue, a distance of 36.37 feet to an point of tangent curvature in the proposed easterly right-of-way line of Harmon Avenue;

Thence southeasterly, along the arc of a curve to the left, (Delta = 65 degrees 10 minutes 06 seconds, Radius = 52.00 feet), a chord bearing and distance of South 49 degrees 01 minutes 10 seconds East, 56.01 feet to a point of tangency in the proposed northerly right-of-way line of Greenlawn Avenue;

Thence South 81 degrees 36 minutes 13 seconds East, continuing along the proposed northerly right-of-way line of Greenlawn Avenue, a distance of 49.35 feet to a point in the easterly line of said Lot 2;

Thence South 02 degrees 21 minutes 02 seconds West, along the easterly line of said Lot 2, a distance of 6.00 feet to the Point of Beginning and containing 0.060 acre, more or less, of which the present road occupies (P.R.O.) 0.000 acre.

The Grantor reserves the right to ingress and egress to and from the residual area.

The bearings are based on the Ohio State Plane Coordinate System, South Zone, NAD 1927, between Army Corps of Engineers points 135-7 and 135-6 of the Franklinton Floodwall, bearing South 83 degrees 35 minutes 24 seconds East, a distance of 1702.86 feet.

The above described area contains 0.051 acre net take from Auditor's Parcel No. 010-005632, total record area 0.409 acre.

The above described area contains 0.009 acre take from Auditor's Parcel No. 010-063331 and is carried on the tax map as 0.330 acre.

Known as 972 Harmon Ave., Columbus, OH 43223
Parcel Number IDs: 010-063331 & 010-005632

To Rezone From: C-4, Commercial District and R-4, Residential District

To: M, Manufacturing District

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