



Legislation Details (With Text)

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Type: Ordinance **Status:** Passed

File created: 11/18/2022 **In control:** Zoning Committee

On agenda: 12/12/2022 **Final action:** 12/14/2022

Title: To grant a Variance from the provisions of Section 3332.02, R-rural district, of the Columbus City Codes; for the property located at 4955 SUNBURY RD. (43230), to permit craft classroom, workshop, and accessory retail space in the R, Rural District (Council Variance #CV22-071).

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD3352-2022_Attachments, 2. ORD3352-2022_Labels

Date	Ver.	Action By	Action	Result
12/14/2022	1	CITY CLERK	Attest	
12/13/2022	1	MAYOR	Signed	
12/12/2022	1	COUNCIL PRESIDENT	Signed	
12/12/2022	1	Zoning Committee	Accept entire staff report into evidence as an exhibit	Pass
12/12/2022	1	Zoning Committee	Adopt the findings of staff as the findings of Council	Pass
12/12/2022	1	Zoning Committee	Approved	Pass
12/5/2022	1	Columbus City Council	Read for the First Time	

Council Variance Application: CV22-071

APPLICANT: Thomas & Robin Richey; 4955 Sunbury Road; Columbus, OH 43230.

PROPOSED USE: Craft classroom with workshop and accessory retail uses.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The 8.0± acres site consists of one parcel developed with a single-unit dwelling in the R, Rural District as the result of recent annexation into the City of Columbus. The requested Council variance will permit a 910 square foot detached garage to be converted into space for knitting classes, workshops, and accessory retail sales. The site is within the planning boundaries of *Northland I Area Plan* (2014), which recommends "Low -Medium Density Residential" land uses at this location. The submitted site plan demonstrates seven parking spaces for the 910 square foot workshop space, exceeding the minimum parking required. The proposal results in the existing residential use remaining, with no new construction proposed, and the accessory space is well screened from the right-of-way and adjacent properties.

To grant a Variance from the provisions of Section 3332.02, R-rural district, of the Columbus City Codes; for the property located at **4955 SUNBURY RD. (43230)**, to permit craft classroom, workshop, and accessory retail space in the R, Rural District (Council Variance #CV22-071).

WHEREAS, by application #CV22-071, the owner of the property at **4955 SUNBURY RD. (43230)**, is requesting a Council Variance to permit craft classroom, workshop, and accessory retail space in the R, Rural District; and

WHEREAS, Section 3332.02, R-rural district, does not permit commercial uses, while the applicant proposes to convert a 910 square foot detached garage into craft classroom, workshop, and accessory retail space; and

WHEREAS, City Departments recommend approval because the existing residential use will remain, no new buildings are proposed, and the accessory space is well screened from the right-of-way and adjacent properties; 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 owner of the property located at **4955 SUNBURY RD. (43230)**, 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 3332.02, R-rural district, of the Columbus City Codes, is hereby granted for the property located at **4955 SUNBURY RD. (43230)**, insofar as said section prohibits craft classroom, workshop, and accessory retail space in the R, Rural District; said property being more particularly described as follows:

4955 SUNBURY RD. (43230), being 8.95± acres on the west side of Sunbury Road, 1,180± feet north of Morse Road, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin, Township of Blendon, in Quarter Township 3, Township 2, Range 17, United States Military District, being comprised of all of that 8.0 acre tract of land conveyed to Thomas K. Richey and Robin S. Richey by deed of record in Instrument Number 201009220123262, part of that 8.934 acre tract conveyed to Lamb of God Evangelical Lutheran Church by deed of record in Deed Book 3383, Page 607, part of that 2.100 acre tract of land conveyed to Hamilton Hotels LLC by deed of record in Instrument Number 201406270082310, part of that 0.837 acre tract of land conveyed to City of Columbus by deed of record in Official Record 21443C19, part of that 0.099 acre tract of land conveyed to City of Columbus by deed of record in Instrument Number 20051220269198, part of that 0.0375 acre tract of land conveyed to City of Columbus by deed of record in Official Record 30577D08, part of that tract of land conveyed to City of Columbus by deed of record in Official Record 30686B05, and part of that 0.307 acre tract of land conveyed to City of Columbus by deed of record in Instrument Number 201101280014656, (all references are to the records of the Recorder's Office, Franklin County, Ohio) and more particularly bounded and described as follows:

BEGINNING at a point in the westerly right-of-way line of Sunbury Road, in the existing City of Columbus corporation line, as established by Ordinance Number 1700-74, of record in Miscellaneous Record 163, Page 940, in the northerly line of said 8.934 acre tract, the southerly line of said 8.0 acre tract;

Thence northwesterly, with said northerly line and said corporation line (1700-74) a distance of approximately 1234 feet to a point in the centerline of Alum Creek, in the existing City of Columbus corporation line, as established by Ordinance Number 1054-67, of record in Miscellaneous Record 143, Page 563, the easterly line of that 43.281 acre tract conveyed to City of Columbus by deed of record in Deed Book 3386, Page 395;

Thence northerly, with said centerline, said easterly line, and said corporation line (1054-67), a distance of approximately 133 feet to the southwesterly corner of that tract 8.336 acre tract conveyed to Daniel G. Myers and Cie Ann Myers by deed of record in Instrument Number 201706140080450;

Thence with the boundary of said Myers tract the following courses and distances:

Easterly, a distance of approximately 615 feet to a point;

Southeasterly, a distance of approximately 472 feet to a point;

Southeasterly, a distance of approximately 78 feet to a point; and

Southeasterly, a distance of approximately 356 feet to a point in the easterly right of way line of Sunbury Road, in the existing City of Columbus corporation line, as established by Ordinance Number 1632-80, of record in Miscellaneous Record 64, Page G-05;

Thence southwesterly, with said easterly right of way line and said corporation line (1632-80), a distance of approximately 731 feet to a point in the northerly line of the existing City of Columbus corporation line, as established by Ordinance Number 2239-97, of record in Instrument Number 199801280019425;

Thence westerly, crossing said Sunbury Road and with said corporation line, a distance of approximately 100 feet to a point in the westerly right of way line of said Sunbury Road;

Thence northeasterly, with said westerly right of way line and with the existing City of Columbus corporation line, as established by Ordinance Number 639-89, of record in Official Record 13293G01, a distance of approximately 100 feet to a point;

Thence northeasterly, with said westerly right of way line and with the existing City of Columbus corporation line, as established by Ordinance Number 877-01, of record in Instrument Number 200111290276971, a distance of approximately 98 feet to a point;

Thence northeasterly, with said westerly right of way line and with said corporation line (877-01 and 1700-74), a distance of approximately 387 feet to the POINT OF BEGINNING, containing 8.95 acres of land, more or less.

Parcel: 600-305599

Address: 4955 Sunbury Rd. Columbus, OH 43230.

SECTION 2. That this ordinance is conditioned on and shall remain in effect only for so long as said property is used as a single-unit dwelling with 910 square feet of craft classroom, workshop, and accessory retail space, or those uses permitted in the R, Rural District.

SECTION 3. That this ordinance is further conditioned on the parking area for the accessory workshop and retail uses being developed in general conformance with the site plan titled, "**SITE PARKING PLAN**," signed by the Robin S. Richey, Applicant, and dated November 21, 2022. 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 Certificate of Occupancy 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.