



Legislation Details (With Text)

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Type: Ordinance **Status:** Passed

File created: 4/12/2023 **In control:** Zoning Committee

On agenda: 5/15/2023 **Final action:** 5/18/2023

Title: To grant a Variance from the provisions of Section 3355.03, C-3 permitted uses, of the Columbus City Codes; for the property located at 1289 E. DUBLIN GRANVILLE RD. (43229), to permit a residential care facility in the C-3, Commercial District (Council Variance #CV22-109).

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD1180-2023_Attachments, 2. ORD1180-2023_Labels

Date	Ver.	Action By	Action	Result
5/18/2023	1	CITY CLERK	Attest	
5/17/2023	1	MAYOR	Signed	
5/15/2023	1	COUNCIL PRESIDENT	Signed	
5/15/2023	1	Zoning Committee	Waive the 2nd Reading	Pass
5/15/2023	1	Zoning Committee	Accept entire staff report into evidence as an exhibit	Pass
5/15/2023	1	Zoning Committee	Approved	Pass
5/15/2023	1	Zoning Committee	Adopt the findings of staff as the findings of Council	Pass

Council Variance Application: CV22-109

APPLICANT: Pumzika, LLC; c/o Bethwel Raore; 6600 Sugarloaf Parkway, Suite 400-274; Duluth, GA 30097.

PROPOSED USE: Residential care facility.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The site is zoned in the C-3, Commercial District and is developed with a non-conforming hotel. The requested Council variance will permit the conversion of this building into a residential care facility, operated by the Community Shelter Board. A Council variance is required because the C-3 district does not permit ground floor residential uses. While the *Northland I Area Plan* (2014) recommends "Community Commercial" for this site, staff supports the repurposing of a former hotel building for a residential care facility which will increase housing stability for residents who are at-risk for homelessness. A commitment is included in the ordinance for pedestrian connectivity from the existing building to the public sidewalk network.

To grant a Variance from the provisions of Section 3355.03, C-3 permitted uses, of the Columbus City Codes; for the property located at **1289 E. DUBLIN GRANVILLE RD. (43229)**, to permit a residential care facility in the C-3, Commercial District (Council Variance #CV22-109).

WHEREAS, by application #CV22-109, the owner of property at **1289 E. DUBLIN GRANVILLE RD. (43229)**, is requesting a Council variance to permit a residential care facility in the C-3, Commercial District; and

WHEREAS, Section 3355.03, C-3 permitted uses, does not permit residential care facilities, while the applicant proposes such a use; and

WHEREAS, City Departments recommend approval because the requested Council variance will permit the repurposing of an existing non-conforming hotel into a residential care facility, increasing housing stability for residents who are at-risk for homelessness; and

WHEREAS, said ordinance requires separate submission for all applicable permits and a 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 **1289 E. DUBLIN GRANVILLE RD. (43229)**, in using said property as desired; now, therefore:

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

SECTION 1. That variances from the provisions of Section 3355.03, C-3 permitted uses, of the Columbus City Codes, are hereby granted for the property located at **1289 E. DUBLIN GRANVILLE RD. (43229)**, insofar as said sections prohibits a residential care facility in the C-3, Commercial District; said property being more particularly described as follows:

1289 E. DUBLIN GRANVILLE RD. (43229), being 1.77± acres located on the south side of East Dublin-Granville Road, 250± west of Satinwood Drive, and being more particularly described as follows:

A tract of land situated in the City of Columbus, County of Franklin, State of Ohio, lying within quarter Township 4, Township 2, Range 18, United State Military Lands and known as being a 77,200 sq. ft. tract over and upon the lands described in deed to M-Six Penvest I Business Trust, a Delaware business trust by Deed Instrument Number 199806010131746 of the aforesaid County Records of Deeds and being more particularly described by metes and bounds as follows;

Beginning at a 1-inch Iron Pipe found at the Northwesterly corner of forest Pork No.7" as the Plot of some is shown of record in Plot Book 39, Page 20;

Thence North 04°47'55" East, a distance of 30.52 feet;
Thence South 84°34'30" East, a distance of 59.89 feet;
Thence North 05°31'00" East, a distance of 60.87 feet;
Thence North 84°29'00" West, a distance of 4.30 feet;
Thence North 05°31'00" East, a distance of 36.00 feet;
Thence South 84°29'00" East, a distance of 3.19 feet;
Thence North 05°31'00" East, a distance of 53.66 feet;
Thence South 84°58'15" East, a distance of 23.00 feet;

Thence North 05°01'45" East, a distance of 48.15 feet to a 1-inch Copped Iron Pipe 'Hockoden & Assoc.' found, also lying along the Southerly Right-of-Way line of East Dublin Granville Rood (AKA State

Route 161);

Thence along said Right-of-Way, South 87°26'04" East, a distance of 112.92 feet to a 1/2-inch Rebar found; Thence South 84°34'20" East, a distance of 165.17 feet to a 1-inch Capped Iron Pipe 'Hockoden & Assoc.' found;

Thence leaving said Right-of-Way line, South 05°25'40" West, a distance of 210.00 feet to a 1-inch Capped Iron Pipe 'Hockoden & Assoc.' found;

Thence South 84°34'20" East, a distance of 250.00 feet to a 1-inch Iron Pipe found, also along the Westerly Right-of-Way of Satinwood Drive;

Thence along said Right-of-Way line, South 05°25'40" West, a distance of 25.00 feet to a 1-inch Iron Pipe found;

Thence leaving said Right-of-Way line, North 84°34'20" West, a distance of 609.29 feet to the Place of Beginning.

Said tract encumbering 77,200 sq. ft. (1.7724 acres), more or less.

Parcel ID: 01-000439

Known Address: 1289 E. Dublin-Granville Rd., Columbus, OH 43229.

SECTION 2. That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for a residential care facility, or those uses permitted in the C-3, Commercial District.

SECTION 3. That this ordinance is further conditioned on the applicant obtaining all applicable permits and a Certificate of Occupancy for the proposed use.

SECTION 4. That this ordinance is further conditioned on a pedestrian connection from the internal sidewalk network associated with the building to either the existing sidewalk on the west side of Satinwood Drive, or to a location within the East Dublin-Granville Road right-of-way along the site frontage, or between the site and Satinwood Drive to be determined in detailed design and in coordination with the Department of Public Service.

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