



Legislation Details (With Text)

File #: 2514-2023 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 8/31/2023 **In control:** Zoning Committee

On agenda: 9/18/2023 **Final action:** 9/21/2023

Title: To grant a Variance from the provisions of Section 3353.03, Permitted uses, of the Columbus City Codes; for the property located at 3500 SNOUFFER ROAD (43235), to allow barber shops or beauty and nail salons in the C-2, Commercial District, and to repeal Ordinance #0653-2019, passed March 18, 2019 (Council Variance #CV23-042).

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD2514-2023_Attachments, 2. ORD2514-2023_Labels

| Date | Ver. | Action By | Action | Result |
|-----------|------|-----------------------|--|--------|
| 9/21/2023 | 1 | CITY CLERK | Attest | |
| 9/20/2023 | 1 | MAYOR | Signed | |
| 9/18/2023 | 1 | Zoning Committee | Accept entire staff report into evidence as an exhibit | Pass |
| 9/18/2023 | 1 | Zoning Committee | Adopt the findings of staff as the findings of Council | Pass |
| 9/18/2023 | 1 | Zoning Committee | Approved | Pass |
| 9/18/2023 | 1 | COUNCIL PRESIDENT | Signed | |
| 9/11/2023 | 1 | Columbus City Council | Read for the First Time | |

Council Variance Application: CV23-042

APPLICANT: Abigail Dalesandro, Atty.; 39 East Whittier Street; Columbus, OH 43206.

PROPOSED USE: Barber shop, beauty salons, and nail salons.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The subject site is developed with three office buildings in the C-2, Commercial District. The site is subject to Ordinance #0653-2019 (CV19-007), passed March 18, 2019, which allowed a beauty salon to occupy 4,261 square feet of the existing middle office building. This request will repeal the existing ordinance and will allow barber shops or beauty and nail salons as permitted uses throughout this entire office complex. A Council variance is necessary because barber shops or beauty and nail salons are C-1, Commercial District uses, and are not allowed in the C-2, Commercial District. The site is located within the boundaries of *The Northwest Plan* (2016), which recommends "Office" land uses at this location. Staff supported the existing Council variance and continues to support the proposed use as a limited form of retail that is otherwise compatible with smaller scale office uses as is present at this location.

To grant a Variance from the provisions of Section 3353.03, Permitted uses, of the Columbus City Codes; for the property located at **3500 SNOUFFER ROAD (43235)**, to allow barber shops or beauty and nail salons in the C-2, Commercial

District, and to repeal Ordinance #0653-2019, passed March 18, 2019 (Council Variance #CV23-042).

WHEREAS, by application #CV23-042, the owner of property at **3500 SNOUFFER ROAD (43235)** is requesting a Council variance to allow barber shops or beauty and nail salons in the C-2, Commercial District; and

WHEREAS, Section 3353.03, Permitted uses, does not allow barber shops or beauty and nail salons, while the applicant proposes barber shops or beauty and nail salons at this location with no limit in square footage; and

WHEREAS, City Departments recommend approval because staff supported the existing Council variance, and continues to support the proposed service uses as they are low-intensity uses compatible with office uses in the C-2, Commercial District; and

WHEREAS, said ordinance requires separate submission for all applicable permits and Certificates of Occupancy for the proposed uses; 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 the adjacent property, unreasonably increase the congestion of public streets, increase the danger of fires, endanger the public safety, unreasonably diminish or impair established property values within the surrounding area, or in any other respect 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 **3500 SNOUFFER ROAD (43235)**, 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 3353.03, Permitted uses, of the Columbus City Codes, is hereby granted for the property located at **3500 SNOUFFER ROAD (43235)**, insofar as said section prohibits barber shops, beauty salons, and nail salons in the C-2, Commercial District; said property being more particularly described as follows:

3500 SNOUFFER ROAD (43235), being 1.88± acres located on the north side of Snouffer Road, 380± feet west of Skyline Drive East, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin, City of Columbus, in Lot Number Seven (7), Quarter Township 1, Township 2 North, Range 19 West, United States Military Lands, and being a portion of a 2.396 acre tract of land conveyed as Parcel 1 to Barbara B. Burns by deed of record in Official Records Volume 4657, Page B03, Recorder's Office, Franklin County, Ohio, and bounded and described as follows:

Beginning at a railroad spike found in the centerline of Snouffer Road, at the southwest corner of said 2.396 acre tract, at the southeast corner of an original 3.615 acre tract of land conveyed to Paul D. Isaacs, Trustee, by deed of record in Official Record Volume 5414, page E13, Recorder's Office, Franklin County, Ohio and at the southeast corner of a 0.251 acre tract of land conveyed out of said original 3.615 acre tract to the City of Columbus, Ohio, for Snouffer Road right-of-way by deed of record in Official Records Volume 5514, page I15, Recorder's Office, Franklin County, Ohio;

Thence N 2 deg. 13' 56" E along the west line of said 2.396 acre tract, along the east line of said 0.251 acre tract and along the east line of said original 3.615 acre tract a distance of 432.74 feet to a wood post found at the northwest corner of said 2.396 acre tract, at the northeast corner of said original 3.615 acre tract and in a south line of Lot Number Three (3) in Sawmill Road Office Park, as shown of record in Plat Book 58, page 80, Recorder's Office, Franklin County, Ohio (passing a rebar found in the north right-of-way line of Snouffer Road at 25.00 feet and passing a point at the northeast corner of said 0.251 acre tract at 30.00 feet);

Thence S 87 deg. 26° 50" E along the north line of said 2.396 acre tract and along a portion of a south line of said Lot No. 3 a distance of 362.74 feet to a ¾-inch I.D. iron pipe set at the northeast corner of said 2.396 acre tract, at a corner of said Lot No. 3 and at the northwest corner of Lot Number Two (2) in said Sawmill Road Office Park;

Thence S 02 deg. 12' 18" W along an east line of said 2.396 acre tract and along a portion of the west line of said Lot No. 2 a distance of 131.93 feet to a ¾-inch I.D. iron pipe found at a wood post at a southeast corner of said 2.396 acre tract and at the northeast corner of a 0.218 acre tract of land conveyed to Ralph R. and Ruth J. Barber by deed of record in Deed Book 1833, page 107, Recorder's Office, Franklin County, Ohio;

Thence N 87 deg. 34' 33" W along a south line of said 2.396 acre tract and along said south line extended westerly along the north line of said 0.218 acre tract, along the north line of a 0.689 acre tract of land conveyed as Parcel 2 to Barbara B. Burns by deed of record in Official Records Volume 4657, Page B03, Recorder's Office, Franklin County, Ohio, and along said north line extended westerly, a distance of 185.00 feet to a ¾ -inch I.D. iron pipe set (passing a 3/4-inch I.D. iron pipe found at the northwest corner of said 0.218 acre tract and at the northeast corner of said 0.689 acre tract at 75.00 feet and passing a ¾-inch I.D. iron pipe found at a corner of said 2.396 acre tract and at the northwest corner of said 0.689 acre tract at 175.00 feet);

Thence S 2 deg. 12' 08" W parallel with and 10.00 feet westerly by perpendicular measurement from an east line of said 2.396 acre tract and from the west line of said 0.689 acre tract a distance of 300.00 feet to a point in the centerline of Snouffer Road and in a south line of said 2.396 acre tract (passing a ¾-inch I.D. iron pipe set in the north right-of-way lie of Snouffer Road at 275.00 feet);

Thence N 87 deg. 34' 33" W along the centerline of Snouffer Road and along a portion of a south line of a said 2.396 acre tract a distance of 177.96 feet to the place of beginning;

Containing 2.327 acres of land more or less;

The above description was prepared by Robert J. Bull, Ohio Surveyor No. 4723, of C.F. Bird and R.J. Bull, Inc., Consulting Engineers and Surveyors, Worthington, Ohio from an actual field survey performed in September, 1988. Basis of bearings is the centerline of Snouffer Road at N 87 de. 34' 33" W in Official Records Volume 4657, page B03, Franklin County Recorder's Office.

EXCEPTING THEREFROM A 0.123 ACRE TRACT DESCRIBED AS FOLLOWS:

Situated in the State of Ohio, County of Franklin, City of Columbus, in Lot Number Seven (7), Quarter Township 1, Township 2 North, Range 19 West, United States Military Lands, and being a portion of a 2.327 acre tract of land conveyed to Fiesta Realty Corporation by deed of record in Official Records Volume 12573, page D16, Recorder's Office, Franklin County, Ohio and bounded and described as follows:

Beginning at a railroad spike found in the centerline of Snouffer Road, at the southwest corner of said 2.327 acre tract, at the southeast corner of an original 3.615 acre tract of land conveyed to Paul D. Isaacs, Trustee, by deed of record in Official Records Volume 5414, Page E13, Recorder's Office, Franklin County, Ohio and at the southeast corner of a 0.251 acre tract of land conveyed out of said original 3.615 acre tract to the City of Columbus, Ohio, for Snouffer Road right-of-way by deed of record in Official Records Volume 5514, Page I15, Recorder's Office, Franklin County, Ohio;

Thence N 02 deg. 13'56" E along a portion of the west line of said 2.327 acre tract, along a portion of the East line of said original 3.615 acre tract and along the east line of said 0.251 acre tract a distance of 30.00 feet to a point at the northeast corner of said 0.251 acre tract;

Thence S 87 deg. 34' 33" E parallel with and 30.00 feet northerly by perpendicular measurement from the centerline of Snouffer Road and from a South line of said 2.327 acre tract a distance of 177.94 feet to a point in an east line of said 2.327 acre tract;

Thence S 02 deg. 12' 08" W along a portion of an East line of said 2.327 acre tract a distance of 30.00 feet to P.K. nail set in the centerline of Snouffer Road and a southeast corner of said 2.327 acre tract;

Thence N 87 deg. 34' 33" W along the centerline of Snouffer Road and along a south line of said 2.327 acre tract a distance of 177.96 feet to the place of beginning; containing 0.123 acres of land more or less.

The above description was prepared by Richard J. Bull, Ohio Surveyor No. 4723, of C.F. Bird & R.J. Bull, Inc., Consulting Engineers & Surveyors, Worthington, Ohio, from an actual field survey performed in September, 1988. Basis of bearings is the centerline of Snouffer Road at N 87 deg. 34' 33" W in Official Records Volume 4657 Page B03, Franklin County Recorder's Office.

LESS AND EXCEPTING therefrom the following 0.324 acre tract as conveyed by Western Row Investments Ltd., an Ohio limited liability company to Mercer Square LLC, an Ohio limited liability company by document recorded on October 29, 2010 of record in Instrument 201010290145200.

Situated in the State of Ohio, County of Franklin, City of Columbus, Quarter Township 1, Township 2, Range 19, United State Military District, being part of the residuum of that 2.327 acre tract conveyed to Western Row Investments, Ltd. of record in Instrument Number 200011290241220, and described as follows:

Beginning at an iron pin set marking the original northeast corner of said 2.327 acre tract, the same being northwest corner of Lot 2 of "Sawmill Road Office Park" as recorded in Plat Book 58, Page 80, being an angle point in the south line of Lot 3 of said subdivision;

Thence S 02° 13' 02" W, along the common line to said 2.327 acre tract and Lot 2, 131.93 feet to a ¾" iron pipe found marking an original southeast corner of said 2.327 acre tract, the same being the northeast corner of that tract conveyed to Ralph R. Barber and Ruth J. Barber of record in Deed Book 1833, Page 107;

Thence N 87° 36' 23" W, along the common line to said 2.327 acre tract and Barber tract, and along the common line to said 2.327 acre tract and the original north line of the remainder of that 0.7576 acre tract (Parcel Ten) conveyed to The Roby Company Limited Partnership of record in Official Record 26284E20, 107.00 feet to an iron pin set;

Thence N 02° 13' 02" E, across said 2.327 acre tract, 132.15 feet to an iron pin set in the original north line of said 2.327 acre tract, the same being a south line of said Lot 3;

Thence S 87° 29' 14" E, along the common line to said 2.327 acre tract and Lot 3, 107.00 feet to the Point of Beginning, containing 0.324 acre, more or less.

The above description was prepared by John C. Dodgion, P.S. 8069 in September 2010 and is based on existing records and an actual field survey performed in September 2010.

Iron pins set are ¾" diameter iron pipe, 30" long with plastic cap inscribed "Advanced 7661".

Bearings are based on N 02° 13' 02" E for the west line of Lot 2 of "Sawmill Road Office Park" as recorded in Plat Book 58, Page 80.

All references used in this description can be found at the Recorder's Office, Franklin County, Ohio.

Address: 3500 Snouffer Road, Columbus, OH 43235

Parcel No.: 590-127290

SECTION 2. That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for barber shops or beauty and nail salons within the existing office buildings, or those uses permitted in the C-2, Commercial District.

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

SECTION 4. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

SECTION 5. That Ordinance #0653-2019, passed March 18, 2019, be and is hereby repealed.

