



Legislation Details (With Text)

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Type: Ordinance **Status:** Passed

File created: 4/10/2024 **In control:** Zoning Committee

On agenda: 4/29/2024 **Final action:** 5/1/2024

Title: To grant a Variance from the provisions of Section 3356.03, C-4 Permitted uses, of the Columbus City Codes; for the property located at 2050 E. DUBLIN-GRANVILLE RD. (43229), to allow indoor automobile storage in the L-C-4, Limited Commercial District and to declare an emergency.(Council variance #CV23-063).

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD1113-2024_Attachments, 2. ORD1113-2024_Labels

Date	Ver.	Action By	Action	Result
5/1/2024	2	CITY CLERK	Attest	
4/30/2024	2	MAYOR	Signed	
4/29/2024	1	Zoning Committee	Accept entire staff report into evidence as an exhibit	Pass
4/29/2024	1	Zoning Committee	Approved as Amended	Pass
4/29/2024	1	Zoning Committee	Adopt the findings of staff as the findings of Council	Pass
4/29/2024	1	Zoning Committee	Amended to Emergency	Pass
4/29/2024	2	COUNCIL PRESIDENT	Signed	
4/29/2024	1	Columbus City Council	Read for the First Time	

Council Variance Application: CV23-063

APPLICANT: C+O Shopping, LLC, c/o Jeffrey L. Brown, Atty.; 37 West Broad Street, Suite 460; Columbus, OH 43215.

PROPOSED USE: Interior automobile storage

CITY DEPARTMENTS' RECOMMENDATION: Approval. The applicant has received a recommendation of approval from Staff and the Development Commission for a concurrent rezoning (Ordinance #1112-2024; Z23-037) to the L-C-4, Limited Commercial District to allow limited commercial uses include an automobile window tinting business. The requested Council variance will allow the applicant to store automobiles within Buildings A, B, and C, as shown on the site plan included with Ordinance #1112-2024 (Z23-037). Staff supports the use as the storage will takes place within buildings on site that act as screening from adjacent properties.

To grant a Variance from the provisions of Section 3356.03, C-4 Permitted uses, of the Columbus City Codes; for the property located at **2050 E. DUBLIN-GRANVILLE RD. (43229)**, to allow indoor automobile storage in the L-C-4, Limited Commercial District **and to declare an emergency.**(Council variance #CV23-063).

WHEREAS, by application #CV23-063, the owner of property at **2050 E. DUBLIN-GRANVILLE RD. (43229)**, is requesting a Council variance to allow indoor automobile storage in the L-C-4, Limited Commercial District; and

WHEREAS, Section 3356.03, C-4 Permitted Uses, prohibits storage uses, while the applicant proposes to allow indoor storage of automobiles within Buildings A, B, and C, as shown on the submitted site plan included with Ordinance #1112-2024 (Z23-037); and

WHEREAS, the City Departments recommend approval because the requested variance will allow indoor automobile storage; and

WHEREAS, this ordinance requires separate submission for all applicable permits and a Certificate 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 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 **2050 E. DUBLIN-GRANVILLE RD. (43229)**, in using said property as desired; now, ~~therefore;~~ **and**

WHEREAS, an emergency exists in the usual daily operation in the City of Columbus in that it is immediately necessary to pass this ordinance due to the need for the applicant was in the process of constructing new buildings when there was a zoning issue. The emergency request will permit the applicant to resume construction as soon as possible for the immediate preservation of the public peace, property, health and safety; now, therefore:

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

SECTION 1. That a variance from the provisions of Section 3356.03, C-4 Permitted uses, of the Columbus City Codes, is hereby granted for the property located at **2050 E. DUBLIN-GRANVILLE RD. (43229)**, insofar as said section prohibits interior automobile storage in the C-4 district; said property being more particularly described as follows:

2050 E. DUBLIN-GRANVILLE RD. (43229), being 1.09± acres located on the north side of East Dublin-Granville Road, and being more particularly described as follows:

SITUATED in the State of Ohio, County of Franklin, City of Columbus, and being part of Lot 49 of Sharon Acres, Plat Book 20, pg. I, and being a part of a 2.632 acre tract conveyed to The Slane Co., Ltd. in Instrument Number 199711280154303, Franklin County Recorder's Office, and being more particularly described as follows:

All records referred to are those of record in the Franklin County Recorder's Office;

BEGINNING at a found 1" iron pin at the southwest corner of the said Lot 49, being the northwest corner of Lot One (I) of the said Sharon Acres, and being a point in the east line of a 3.648 acre tract conveyed to Montemarte Associates, L.P. in Official Record 19183 D03;

THENCE North 5 degrees 34 minutes 00 seconds East, a distance of 288.00 feet, along the East line of the said 3.648 acre tract and the west line of the said Lot 49, to a point, referenced by a found 5/8" iron pin (0.27' N, 0.07' E), being the northwest corner of the said Lot 49 and the southwest corner of Lot 48 of the said Sharon Acres;

THENCE South 84 degrees 30 minutes 00 seconds East, a distance of 165.00 feet, along the north line of the said Lot 49 and the south line of the said Lot 48, to a set iron pin;

THENCE South 5 degrees 34 minutes 00 seconds West, a distance of 288.00 feet, crossing the said Lot 49, to a set iron pin in the south line of the said Lot 49 and in the north line of Lot Three (3) of the said Sharon Acres;

THENCE North 84 degrees 30 minutes 00 seconds West, a distance of 165.00 feet, along the south line of the said Lot 49 and the north lines of the said Lot Three (3), of Lot Two (2) of the said Sharon Acres, and of the said Lot One (1), to the PLACE OF BEGINNING containing 47520 square feet or 1.091 acres, according to a field survey by J & J Surveying Services, Inc. dba Paul K. Moore and Associates on January 30th, 1998;

The Basis of Bearings is the south line of Lot Forty-nine as being North 84 degrees 30 minutes 00 seconds West, as shown on the plat of Sharon Acres, Plat Book 20, pg. I;

Parcel Numbers: part of 010-241738

Property Address: 2050 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 indoor automobile storage, or those uses permitted in the L-C-4, Limited Apartment Residential District, specified by Ordinance #1112-2024 (Z23-037).

SECTION 3. That this ordinance is further conditioned on the applicant obtaining all applicable permits and a Certificate 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 4. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or 10 days after its passage if the Mayor neither approves nor vetoes the same.