



Legislation Text

File #: 2819-2015, **Version:** 1

Council Variance Application: CV15-037

APPLICANT: J. Johnson Investments, LLC; c/o Jackson B. Reynolds, III, Atty.; Smith and Hale, 37 West Broad Street, Suite 460; Columbus, OH 43215.

PROPOSED USE: Self-storage facility and/or limited outside storage.

GREATER SOUTH EAST AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The site is being used as an outside storage lot for boats, vehicles and RVs, and is zoned C-4, Commercial District. The property is subject to Ordinance No. 1220-2005, passed September 12, 2005 (Council Variance # CV05-017), which permitted self-storage units, but prohibited outside storage. The requested Council variance will permit the site to be used for limited outside storage and/or self-storage units, and will retain the development standards that provide for screening, architectural design and appearance, and lighting and graphics restrictions that were included in Ordinance No. 1220-2005. The *Southeast Area Plan* (2000) recommends neo-traditional residential development on this site; however, given the small size of this residual area and the fact that surrounding property has been developed with C-4 commercial and self-storage uses, deviation from the Plan is still warranted. The outside storage lot is being used in conjunction with the self-storage facility to the south of the site, will be screened appropriately, and is located behind commercial uses that front on Gender Road. Approval of this request will not introduce an incompatible use to the area.

To grant a Variance from the provisions of Section 3356.03, C-4 permitted uses, for the property located at **5265 GENDER ROAD (43110)**, to permit a self-storage facility and/or limited outside storage in the C-4, Commercial District, and to repeal Ordinance No. 1220-2005, passed September 12, 2005 (Council Variance # CV15-037).
(REPEALED BY ORD.1486-2016; PASSED 6/20/16)

WHEREAS, by application No. CV15-037, the owners of property at **5265 GENDER ROAD (43110)**, are requesting a Council Variance to permit a self-storage facility and/or limited outside storage in the C-4, Commercial District; and

WHEREAS, Ordinance No. 1220-2005, passed on September 12, 2005 (Council Variance # CV05-017), permitted self-storage in the C-4, Commercial District on this property; and

WHEREAS, this Council variance would permit limited outside storage, which was prohibited in Ordinance No. 1220-2005, in addition to the self-storage use; and

WHEREAS, Section 3356.03, C-4 permitted uses, does not permit a self-storage facility or outside storage, while the applicant proposes to use the site as a self-storage facility and/or as a limited outside storage lot for boats, RV's, campers, certain trailers, and portable storage units; and

WHEREAS, City Departments recommend approval because the proposed uses are consistent with adjacent self-storage and commercial uses, and are subject to development standards that will ensure compatibility. The outside storage lot is being used in conjunction with the self-storage facility to the south of the site, will be screened appropriately, and is

located behind commercial uses that front on Gender Road. Approval of this request will not introduce an incompatible use to the area; and

WHEREAS, said ordinance requires separate submission for all applicable permits and a Certificate of Occupancy for the proposed use (if applicable); 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 **5265 GENDER ROAD (43110)**, 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 3356.03, C-4 permitted uses, is hereby granted for the property located at **5265 GENDER ROAD (43110)**, to permit a self-storage facility and/or limited outside storage in the C-4, Commercial District; said property being more particularly described as follows:

5265 GENDER ROAD (43110) being 1.34± acres located on the west side of Gender Road, 540± feet north of Winchester Crossing Boulevard, and being more particularly described as follows:

Situated in the City of Columbus, County of Franklin, and State of Ohio, and in the West Half of Sec. 13, Twp. 11, Range 21, Congress Lands and being part of a 21.166 acre tract conveyed to J. Johnson Investment LLC, as recorded in Inst. #200101040002942, Records Office, Franklin County, Ohio, more particularly bounded and described as follows:

Beginning at a ¾" iron pipe found in East line of the said 21.166 acre tract at the N E corner of a 7.6172 acre tract, on the westerly R/W line of Gender Road, being the westerly line of the Franklin County Commissioners, 2.042 acre tract, D.B. 3205, Pg. 674, which bears S 85° 36' 12" E, 2656.82 feet & S 04° 13' 24" W, 300.85 feet from the FCE Mon. 9979, thence N 85° 44' 55" W, 194.00 feet, into said 21.166 acre tract, to a ¾" pipe set, the true point of beginning, thence N 85° 44' 55" W, 273.64 feet, into said 21.166 acre tract, to a ¾" pipe set;

Thence N 04° 03' 40" E, 212.31 feet, into said 21.166 acre tract to a ¾" pipe set in the South line of a 25 foot ingress & egress easement;

Thence S 85° 56' 20" E, 274.24 feet, in said 21.166 acre tract, with the South line of the 25 foot easement, to a ¾" pipe set;

Thence S 04° 13' 24" W, 213.22 feet into said 21.166 acre tract, to the place of beginning;

To contain 1.3381 acres of the same, more or less, and subject to all legal easements, restrictions conditions as the same may be of record.

Basis of bearings: The C/L of Gender Road as S 04° 13' 24" W from FCE Road Improvement Plan Dated 1972.

This description is to be used for zoning purposes only and not to be used for fee transfers.

Surveyed and written by Louis J. Haines, Professional Surveyor 7205.

SECTION 2. That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for a self-storage facility and/or limited outside storage, or those uses permitted in the C-4, Commercial District.

SECTION 3. That this ordinance is further conditioned by compliance with the following development standards:

1. There shall be a 6 foot high, 100% opaque wooden fence erected to screen the west edge of the proposed development.
2. There shall be a 6 foot high, 100% opaque fence erected to screen the east edge of the proposed development.
3. Outside storage is strictly limited one rental moving truck and boats, RVs, campers, landscape type trailers, and enclosed trailers limited to twenty-four feet in length. All vehicles and trailers on site shall have a current registration and display current license plates. Portable (personal) storage units (POD-type units) are also permitted. Specifically prohibited are intermodal shipping containers, mobile home type trailers, semi-trailers, heavy duty construction trailers, and commercial dump trucks.
4. Any access and turn-around design shall be subject to review and approval of the City of Columbus, Public Service Department.
5. Lighting shall be down lighting not exceeding 16 feet in height and shall be of the same manufacturer, type and color.
6. Color selections for the buildings and doors shall be neutral colors including shades of brown, green, white and gray.
7. All buildings shall have a gabled pitched roof of not less than 3/12 pitch. Roofs shall be residential in appearance.
8. No wood retaining wall shall be permitted on the site. Any retaining wall constructed adjacent to the Georges Creek floodway shall be concrete or masonry construction materials;
9. All signage and graphics shall conform to Article 15 of the Columbus Graphic Code as it applies to the CPD, Commercial Planned District, and no signage shall exceed 15 feet in height.
10. Driveways between buildings shall be extended to the east to permit full circulation around buildings.

SECTION 4. That this ordinance is further conditioned on the applicant obtaining all applicable permits and a Certificate of Occupancy for the proposed use (if applicable).

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

SECTION 6. That Ordinance No. 1220-2005, passed on September 12, 2005, be and is hereby repealed.