



City of Columbus

Office of City Clerk
90 West Broad Street
Columbus OH 43215-9015
columbuscitycouncil.org

Legislation Text

File #: 2254-2017, **Version:** 1

Rezoning Application Z15-035

APPLICANT: Fountech; c/o Jeffrey L. LaValley; 2976 Lazar Road; Grove City, OH 43213.

PROPOSED USE: Contractor's office and storage.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (5-0) on July 14, 2016.

SOUTHWEST AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The site is zoned R, Rural District, and consists of two parcels occupied with a contractor's yard, storage buildings, and a single-unit dwelling that was converted to a contractor's office. The use of the property was established without a Certificate of Zoning Clearance and a notice of Zoning Code violation was issued by the Code Enforcement Division of the Department of Development. The requested L-M-2, Limited Manufacturing District, will establish a zoning district that permits the use of the property. The site is within the planning area of the *Southwest Area Plan* (2009), which recommends low density residential uses for this location. Staff recognizes that the subject site is adjacent to properties zoned manufacturing, and supports deviation from the Plan's land use recommendations for this proposal as it contains appropriate use restrictions and development standards addressing setbacks, screening, and tree preservation. Concurrent Council variance (Ordinance # 2255-2017; CV16-049) has been filed to conform existing site conditions for driveway width and gravel surface.

To rezone **2976 LAZAR ROAD (43213)**, being 5.7± acres located on the east side of Lazar Road, 90± feet south of Tanis Drive, **From:** R, Rural District, **To:** L-M-2, Limited Manufacturing District (Rezoning # Z15-035).

WHEREAS, application #Z15-035 is on file with the Department of Building and Zoning Services requesting rezoning of 5.7± acres from R, Rural District, to the L-M, Limited Manufacturing District; and

WHEREAS, the Development Commission recommends approval of said zoning change; and

WHEREAS, the Southwest Area Commission recommends approval of said zoning change; and

WHEREAS, the City Departments recommend approval of said zoning change because the requested L-M-2, Limited Manufacturing District, which will permit limited industrial uses, contains appropriate use restrictions and development standards to be compatible with adjacent industrial and nearby residential districts; now, therefore:

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

SECTION 1. That the Official Zoning Map of the City of Columbus, as adopted by Ordinance No. 0179 -03, passed February 24, 2003, and as subsequently amended, is hereby revised by changing the zoning of the property as follows:

2976 LAZAR ROAD (43213), being 5.7± acres located on the east side of Lazar Road, 90± feet south of Tanis Drive, and being more particularly described as follows:

Situated in the County Franklin, in the State of Ohio, and in the City of Columbus and being part of a tract containing 26.36 acres conveyed to Dimitar Traikovich by Deed of record in Deed Book 1591, Page 641, Recorder's Office, Franklin County, Ohio, and more particularly described as follows:

Parcel I
570-193906
3.5± acres

Beginning at an iron pin in the north line of V.M.S. No. 6843 and in the West line of V.M.S. No. 426;

Thence along the West line of V.M.S. 426 South 35 deg. 42 - ½' West 159.12 feet to an iron pin;

Thence North 77 deg. 04' West (passing an iron pin at 1400.6 feet) 1425.6 feet to a point in the center of a 50 foot roadway;

Thence along the centerline of said roadway North 13 deg. 02' East 150.25 feet to an iron pin;

Thence South 77 deg. 04' East (passing an iron pin at 25 feet) 864.36 feet to an iron pin;

Thence along the North line of V.M.S. 6843 South 76 deg. 44' 30" East 622.6 feet to the place of beginning, and containing in all, including right of way, 5 acres, more or less. Said parcel being known as Tract 37 of a certain unrecorded parcel plat.

Parcel II
570-193905
2.2± acres

Beginning at an iron pin in the West line of V.M.S. 426 and being South 35 deg. 42' 30" West 159.12 feet from an iron pin where the West line of V.M.S. 426 intersects the North line of V.M.S. 6843;

Thence along the West line of V.M.S. 426 South 35 deg. 42' 30" West 169.60 feet to an iron pin;

Thence North 77 deg. 04' West (passing an iron pin at 1335.23 feet) 1360.23 feet to a point in the centerline of a 50 foot roadway;

Thence along the centerline of said roadway North 13 deg. 02' East 156.37 feet to a point;

Thence South 77 deg. 04' East (passing an iron pin at 25 feet) 1425.6 feet to the place of beginning, containing 5 acres, more or less. Said parcel being known as Tract 38 of a certain unrecorded parcel plat.

Subject to the use of a roadway 50 feet wide running from the Southwest corner of the above described Tract No. 2 northerly to Dyer Road, said roadway centerline being described as beginning at the Southwest corner of the above described Tract No. 2, along the centerline, North 13 deg. 02' East 1941.84 feet to an iron pin at than angle in the roadway;

Thence North 19 deg. 43' West 311.89 feet to an iron pin in the centerline of Dyer Road, being now dedicated as Lazar Rd.

Excepting therefrom a tract of land known as Parcel No. 100-D-WL appropriated by the State of Ohio in Case No. 215153, Court of Common Pleas, Franklin County, Ohio, more particularly described as follows, and also subject to all legal highways, and the perpetual highway easement appropriated in Case No. 229758, Court of Common Pleas, Franklin

County, Ohio, and recorded in Deed Book 2809, Page 614.

Beginning at a point in the owners Southerly property line, said point also being the owners Southeast property corner located 11.3 feet left of and at right angles from Station 493 plus 38.7 in the centerline of a survey made in 1956 for the Department of Highways of Fra-62 in Franklin County;

Thence North 77 degrees 57 minutes 43 seconds west, 943.13 feet with the owners said Southerly property line, passing through a point in the existing right of way line of said survey, 150 feet left of and at right angles from Station 492 plus 71.5;

Thence continuing with the owners said property line to a point 427.36 feet left of and at right angles from Station 373 plus 41.51 in the centerline of a survey made in 1961 for the Department of Highways of Fra-200 in Franklin County;

Thence leaving said point in the owners Southerly property line South 85 deg. 08' 02" East 194.79 feet to a point 528.72 feet left of and at right angles from Station 375 plus 08.34 of said Fra-200 survey;

Thence leaving said point North 77 deg. 46' 16" east, 291.84 feet to a point 746.88 feet left of and at right angles from Station 377 plus 02.19 of said Fra-200 survey;

Thence leaving said point North 69 deg. 13' 17" East, 264.78 feet to a point 370.36 feet left of and at right angles from Station 494 plus 83.11 of said Fra-62 survey;

Thence leaving said point North 59 deg. 14' 35" East, 31.03 feet to a point in the owners Northerly property line 359.35 feet left of and at right angles from Station 495 plus 11.89 of said Fra-62 survey;

Thence leaving said point South 77 deg. 03' 50" east, 364.36 feet with the owners said Northerly property line, passing through a point in the existing right of way line 150 feet left of and at right angles from Station 496 plus 09.3 of said Fra-62 survey to a point 29.0 feet left of and at right angles from Station 496 plus 65.6 of said Fra-62 survey, said point also being the owners Northeast property corner;

Thence leaving said point South 34 deg. 47' 21" West, 327.39 feet with the owners Easterly property line to the place of beginning, containing 3.942 acres, more or less, of which 0.99 of an acre, more or less, is occupied by Highway Fra-62, and containing in all, including right of way, 2.952 acres, more or less.

To Rezone From: R, Rural District

To: L-M-2, Limited Manufacturing District

SECTION 2. That a Height District of thirty-five (35) feet is hereby established on the L-M-2, Limited Manufacturing District on this property.

SECTION 3. That the Director of the Department of Building and Zoning Services be, and is hereby authorized and directed to make the said change on the said original zoning map and shall register a copy of the approved L-M-2, Limited Manufacturing District and Application among the records of the Department of Building and Zoning Services as required by Section 3370.03 of the Columbus City Codes; said text titled, "**LIMITATION TEXT**," signed by Jeffrey L. LaValley, Applicant, dated August 18, 2017, and reading as follows:

LIMITATION TEXT

APPLICATION NUMBER: Z15-035

PROPOSED DISTRICT: L-M-2, Limited Manufacturing District

PROPERTY ADDRESS: 2976 Lazar Rd.

OWNER: Lori A. Cross (AKA LaValley)

APPLICANT: Fountech

c/o Jeffrey L. LaValley

3650 Mountview Rd.

Upper Arlington, OH 43220

jeff@fountech.com

DATE OF TEXT: August 18, 2017

1. INTRODUCTION: This site is developed with two separate buildings. One is a converted dwelling, approximately 2,200 square feet, utilized as contractors office / garage, and the other is a 1,200 square foot metal storage building behind and off to the side of the office building. The site is at the dead end of Lazar Rd and is surrounded by various industrial properties and one residence. Traffic is very light at all times

2. PERMITTED USES: Those uses contained within Chapter 3367 M-2, Manufacturing of the Columbus City Code.

The following uses shall be prohibited:

Adult entertainment, inclusive of bookstore; adult motion picture theater; adult-only entertainment facility; all uses of §3367.04 (Chemicals, petroleum, coal and allied products; all uses of §3367.06 (Wood and paper products); all uses of §3367.07 (Food and beverage products); all uses of §3367.08 (Miscellaneous uses), except that a residence for a resident watchman under that Section is specifically permitted.

3. DEVELOPMENT STANDARDS: Unless otherwise indicated the applicable development standards are contained in Chapter 3367 M-2, Manufacturing of the Columbus City Code.

A. Density, Lot, and/or Setback Commitments: N/A

B. Access, Loading, Parking, and/or Other Traffic Related Commitments. Parking for employees and work trucks shall be addressed by utilizing the existing gravel area behind the metal building located on the south side of Parcel # 570-193906, which is at least 400 feet from the adjacent residential property. This is an area approximately 50' x 65' and already consists of packed gravel. Concurrent Council Variance Application # CV16-049 has been filed to permit the existing conditions of gravel surface and reduced driveway width.

C. Buffering, Landscaping, Open Space, and/or Screening Commitments: Outdoor storage of contractor equipment shall be permitted provided the following occurs: Storage is completely screened from view from Lazar Road and Interstate 270 (by preservation of the tree line along the highway property line) and shall not occur any closer than approximately 275' to the east of the west property line. The rear triangle portion of the property which measures approximately 256' west along the northern property line and approximately 308' west along the southern property line shall be left in its natural state with all trees being preserved. Also, a 50' minimum tree buffer shall be maintained along the freeway side (south side) of the property line.

D. Building Design and/or Interior-Exterior Treatment Commitments: N/A

E. Lighting, Outdoor Display Areas, and/or other Environmental Commitments: N/A

F. Graphics and/or Signage Commitments: All signage shall conform to Chapters 3375 through 3383 of the Columbus City Code, as they apply to the M-2, Manufacturing District. Any variance to the sign requirements shall be submitted to the Columbus Graphics Commission.

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