



## Legislation Text

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**File #:** 2255-2017, **Version:** 1

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### **Council Variance Application CV16-049**

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

**PROPOSED USE:** Contractor's office and storage.

**SOUTHWEST AREA COMMISSION RECOMMENDATION:** Approval.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The applicant has received a recommendation of approval from Staff and the Development Commission for a concurrent rezoning (Ordinance # 2254-2017; Z15-035) to the L-M-2, Limited Manufacturing District to allow a contractor's yard and office. The requested variances will conform existing site conditions for a reduced driveway width of twelve feet and a gravel parking surface. Staff is supportive of the request because the existing conditions are consistent with adjacent industrial developments and because the nature of the proposed use does not generate on-site patrons.

To grant a Variance from the provisions of Sections 3312.13(B), Driveway; 33312.39, Striping and marking; and 3312.43, Surface, of the Columbus City Codes; for the property located at **2976 LAZAR ROAD (43213)**, to permit a contractor's yard and office with reduced development standards in the L-M-2, Limited Manufacturing District (Council Variance # CV16-049).

**WHEREAS**, by application # CV16-049, the owner of property at **2976 LAZAR ROAD (43213)**, is requesting a Council variance to permit a contractor's yard and office with reduced development standards in the L-M-2, Limited Manufacturing District; and

**WHEREAS**, Section 3312.13(B), Driveway, requires a driveway width of 20 feet at the street right of way, while the applicant proposes to maintain the existing driveway width of 12 feet; and

**WHEREAS**, Section 3312.39, Striping and marking, requires parking spaces to be striped, while the applicant proposes a gravel parking area with no striping; and

**WHEREAS**, Section 3312.43, Surface, requires the surface of any parking area to be an approved hard surface other than gravel or loose fill, while the applicant proposes a gravel parking surface; and

**WHEREAS**, the Southwest Area Commission recommends approval; and

**WHEREAS**, City Departments recommend approval of the requested variances for a reduced driveway width and gravel parking surface because these existing conditions are consistent with adjacent industrial developments and because the nature of the proposed use does not generate on-site patrons; 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 **2976 LAZAR ROAD (43213)**, 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 Sections 3312.13(B), Driveway; 33312.39, Striping and marking; and 3312.43, Surface, of the Columbus City Codes, are hereby granted for the property located at **2976 LAZAR ROAD (43213)**, insofar as said sections prohibit a reduced driveway width from 20 feet to 12 feet; and a gravel parking surface that contains no striping or marking; said property being more particularly described 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.

**SECTION 2.** That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for contractor's office and storage, or those uses permitted in the L-M-2, Limited Manufacturing District as specified in Ordinance # 2254-2017 (Z15-035).

**SECTION 3.** That this ordinance is further conditioned on the following:

Gravel parking is limited to an area approximately 50' x 65' behind the metal building located on the south side of Parcel # 570-193906. The driveway leading up to the gravel surface area shall be paved a distance of approximately 320' feet from Lazar Road.

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

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