



Legislation Text

File #: 1579-2018, **Version:** 1

Council Variance Application: CV18-012

APPLICANT: Chris Vallette, Architect; 72 Mill Street; Gahanna, OH 43230.

PROPOSED USE: Industrial kitchen and storage garage for food trucks.

NORTH CENTRAL 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 # 1578-2018; Z18-020) to the C-3, Commercial District to permit commercial development. The requested Council variance will allow an industrial kitchen and storage garage for food trucks with a reduced building line along Old Leonard Avenue. Staff is supportive of these variances since the project offers improvements to existing site conditions with a proposed use that is not incompatible with surrounding uses. Additional landscaping is reflected on the attached site plan in consideration of adjacent residential uses.

To grant a Variance from the provisions of Sections 3355.03, C-3 permitted uses; and 3355.09, C-3 District setback lines, of the Columbus City Codes; for the property located at **1700 OLD LEONARD AVENUE (43219)**, to permit an industrial kitchen and storage garage for food trucks with a reduced building line in the C-3, Commercial District (Council Variance # CV18-012).

WHEREAS, by application # CV18-012, the owner of property at **1700 OLD LEONARD AVENUE (43219)**, is requesting a Council variance to permit an industrial kitchen and storage garage for food trucks with a reduced building line in the C-3, Commercial District; and

WHEREAS, Section 3355.03, C-3 permitted uses, does not permit industrial uses, while the applicant proposes an industrial kitchen and interior storage of food trucks; and

WHEREAS, Section 3355.09, C-3 District setback lines, requires a building setback line of 25 feet along Old Leonard Avenue, while applicant proposes a building setback line of 15 feet; and

WHEREAS, the North Central Area Commission recommends approval; and

WHEREAS, City Departments recommend approval of the requested variances as the project offers improvements to existing site conditions with a proposed use that is not incompatible with surrounding uses. Additional landscaping is reflected on the attached site plan in consideration of adjacent residential uses; 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 **1700 OLD LEONARD AVENUE (43219)**, 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 Sections 3355.03, C-3 permitted uses; and 3355.09, C-3 District setback lines, of the Columbus City Codes, are hereby granted for the property located at **1700 OLD LEONARD AVENUE (43219)**, insofar as said sections prohibit an industrial kitchen and interior storage of food trucks in the C-3, Commercial District; with a reduced building setback line from 25 to 15 feet along Old Leonard Avenue; said property being more particularly described as follows:

1700 OLD LEONARD AVENUE (43219), being 0.41± acres located at the northeast corner of Old Leonard Avenue and Parkwood Avenue, and being more particularly described as follows:

DESCRIPTION OF 0.41 ACRES LOCATED NORTH OF LEONARD AVENUE AND EAST OF PARKWOOD AVENUE

Tract #1
0.405 Acre Tract
Lots Number 28 thru 32
Effie M. Watterson's First Subdivision
Plat Book 7, Page 140
City of Columbus, County of Franklin State of Ohio

Situated In the State of Ohio, County of Franklin, City of Columbus and being lot number Twenty-eight (28), lot number Twenty-nine (29), lot number Thirty (30), lot number Thirty-One (31), and lot number Thirty-two (32) in the Effie M. Watterson's First Subdivision, of record In plat book 7, page 140, Recorder's Office, Franklin County, Ohio as said lots conveyed to The Leonard Parkwood Co., Ltd. by Instrument #199707090043823, Recorder's Office, Franklin County, Ohio and said tract of land being bounded and described as follows:

Commencing at an Iron pin found at the intersection of the centerline of Leonard Avenue (60 feet in width) and the centerline of Parkwood Avenue (50 feet in width);

Thence North 57 degrees 15 minutes 00 seconds East along the centerline of Leonard Avenue (60 feet In width) a distance of 61.69 feet to a point, passing an Iron pin found at a distance of 33.88 feet;

Thence North 32 degrees 45 minutes 00 seconds West leaving the centerline of Leonard Avenue (60 feet in width), a distance of 30.00 feet to an Iron pin set at the Intersection of the northerly right-of-way line of Leonard Avenue (60 foot in width) and the easterly right-of-way line of Parkwood Avenue (50 feet in width) and the southwest corner of said lot number Twenty- eight (28), said point being the true point of beginning of the herein described tract of land;

Thence North 32 degrees 31 minutes 04 seconds West along the easterly right-of-way line of Parkwood Avenue (50 feet In width) and the westerly line of said lot number Twenty-eight (18), a distance of 125.00 feet to an iron pin set in the southern right-of-way line of an alley (15 feet in width) at the northwest corner of said lot number Twenty-eight (28); Thence north 57 degrees 15 minutes 00 seconds east leaving the easterly right-of-way line of Parkwood Avenue (50 feet in width) and continue along the southerly right-of-way line of said alley (15 feet in width) and the northerly line of said lot number Twenty-eight (28), lot number Twenty-nine (29), lot number Thirty (30), lot number Thirty-one (31), and lot

number Thirty-two (32), a distance of 141.37 feet to an iron pin found at the northeast corner of said lot number Thirty-two (32), said point also being the northwest corner of lot number Twenty-three (23) of the George Washington Carver Addition of record in plat book 21, page 13, Recorder's Office, Franklin County, Ohio;

Thence South 32 degrees 31 minutes 04 second East leaving the southern right-of-way line of said alley (15 feet in width) and continuing along the easterly line of said lot number Thirty-two (32) and the westerly line of said lot number Twenty-three (23) of the George Washington Carver Addition of record in plat book 21, page 13, Recorder's Office, Franklin County, Ohio, a distance of 125.00 feet to a stone found at the southeast corner of said lot number Thirty-two (32) on the northerly right-of-way line of Leonard Avenue (60 feet In width);

Thence South 57 degrees 15 minutes 00 seconds West along the northerly right-of-way line of Leonard Avenue (60 feet in width) and the southerly line of said lot number Thirty-two (32), lot number Thirty-one (31), lot number Thirty (30), lot number Twenty-nine (29), and lot number Twenty-eight (28), a distance of 141.37 feet to the TRUE POINT OF BEGINNING of the herein described tract of land, containing 0.405 acres of land, more or less, subject to all legal highways, rights-of-way, easements and restrictions of record.

All iron pins set are to be 5/8 inch deformed steel bars with a yellow identification cap marked "Rolling 5569."

The basis of bearings herein is the centerline of Leonard Avenue (60 feet In width) being North 57 degrees 15 minutes 00 seconds East as shown on the second plat of the Theodore Leonard's East Columbus Lands of record In plat book 3, page 190, Recorder's Office, Franklin County, Ohio.

SECTION 2. That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for an industrial kitchen and interior storage of food trucks, or those uses permitted in the C-3, Commercial District.

SECTION 3. That this ordinance is further conditioned on the subject site being developed in general conformance with the site plan titled, "**SITE PLAN**" dated May 15, 2018, and drawn and signed by Donald W. Schofield, Architect. The plan may be slightly adjusted to reflect engineering, topographical, or other site data developed at the time of the development and when engineering and architectural drawings are completed. Any slight adjustments to the plan shall be subject to review and approval by the Director of the Department of Building and Zoning Services, or a designee, upon submission of the appropriate data regarding the proposed adjustment.

SECTION 4. That this ordinance is further conditioned on the applicant obtaining all applicable permits and Certificates 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.