



## Legislation Text

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**File #:** 2226-2019, **Version:** 1

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### **Council Variance Application: CV19-019**

**APPLICANT:** Arch City Group LLC; c/o Thaddeus M. Boggs, Atty.; 10 West Broad Street, Suite 2300; Columbus, OH 43215.

**PROPOSED USE:** Open storage.

**FAR SOUTH COLUMBUS 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 #2225-2019; Z19-020) to the M, Manufacturing District to permit the expansion of an open storage lot. The requested Council variance is necessary to reduce the open storage setbacks from the adjacent residential district, public street, and interior lot lines. A site plan commitment is included showing the extent of the open storage area, existing landscaping, and areas where additional landscaping will be provided. Staff is supportive of this request as this is an expansion of an existing development that is consistent with the established zoning and development pattern of the area.

To grant a variance from the provisions of Section 3363.41, Storage, of the Columbus City Codes; for the property located at **6780 CANAL RD. (43137)**, to permit reduced open storage setbacks for an industrial development in the M, Manufacturing District (Council Variance #CV19-019).

**WHEREAS**, by application #CV19-019, the owner of property at **6780 CANAL RD. (43137)**, is requesting a Council variance to permit reduced open storage setbacks for an industrial development in the M, Manufacturing District; and

**WHEREAS**, Section 3363.41, Storage, requires the open storage of materials be located at least 100 feet from any residential district, 30 feet from a street right-of-way line, and 20 feet from a lot line, while the applicant proposes setbacks of 20 feet from a residential district, 20 feet from Canal Road, and 0 feet from an interior lot line, as shown on the site plan; and

**WHEREAS**, the Far South Columbus Area Commission recommends approval; and

**WHEREAS**, City Departments recommend approval of the requested Council variance for the proposed reduced open storage setbacks as this is an expansion of an existing development that is compatible with the established zoning and development pattern of the area; 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 owner of the property located at **6780 CANAL RD. (43137)**, 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 3363.41, Storage, of the Columbus City Codes, are hereby granted for the property located at **6780 CANAL RD. (43137)**, in so far as said sections prohibit a reduced open storage setback from a residential district from 100 feet to 20 feet, from the Canal Road right-of-way line from 30 feet to 20 feet, and from an interior lot line from 20 feet to 0 feet; said property being more particularly described as follows:

**6780 CANAL RD. (43137)**, being 12.4± acres located on the east side of Canal Road, 1,165± feet south of London Groveport Road, and being more particularly described as follows:

**Parcel 512-232635:** Situated in the State of Ohio, County of Franklin and in the City of Columbus: Being a part of the Northeast Quarter of Section 2, Township No. 3, Range No. 22. Beginning at an iron pin in the northeast corner of John Weigand's land and in the section line; thence along the west line of W. H. Blake's land; thence North 5 degrees East 6.68 chains; to a state in the southeast corner of Harry Fink's land; thence North 85 degrees West with Fink's south line 7.58 chains to a state on the east line of the Ohio Canal; thence with the east line of the Ohio Canal, South 27 degrees West 7.43 chains to the place of beginning, and containing 6.15 acres of land, more or less. Being the same premises conveyed in Adam Lenhart in 1882 by Jacob Lenhart, et al., and later conveyed by Adam Lenhart to Benjamin Rhyon, as shown by Deed Book 487, Page 82, Recorder's Office, Franklin County, Ohio.

**Parcel 512-232628 +:**

Parcel I: Situated in the State of Ohio, County of Franklin and in the City of Columbus: Being a part of the Northeast Quarter of Section 2, Township No. 3, Range 22, Parcel No. 1. Beginning at the outer edge of the towpath of the Ohio Canal running east 382 feet and 9 inches along the south line of J. S. Anderson's land to the section line, thence south along the line of W. H. Blake 224; thence west along a parallel line to the outer edge of said towpath 396 feet; thence northeast along said towpath 237 feet to the place of beginning, containing 2 acres. Being the same premises conveyed by Patterson Harrison as described in Deed Book 104, page 351, Recorder's Office, Franklin County, Ohio.

Parcel II: Commencing at a point on the section line 562.82 feet from the center of the Ohio Canal where said section line crosses said Canal; thence south with said section a distance of 280 feet thence west to the center of the Ohio Canal; thence northeast with said center line of the Ohio Canal a distance of 295 feet; thence East to the place of beginning, containing 2 ¼ acres, more or less.

**Parcel 512-232639:**

Situated in the State of Ohio, County of Franklin, and in the City of Columbus: Being a part of the Northeast Quarter of Section 2, Township No. 3, Range 22, Commencing at a point on the section line in the center of the Ohio Canal; thence South 2 ½ degrees West with said section line, a distance of 562.82 feet; thence west to the center of the Ohio Canal; thence northeast with the center line of said Ohio Canal to the place of beginning, containing 2 acres, more or less. Being the same premises conveyed by Jesephine Thompson, et al., to Wesley Saltz (also known as William Saltz) by deed dated April 25, 1947, and recorded in Volume 1379, page 77 of the Deed Records of Franklin County, Ohio.

**SECTION 2.** That this ordinance is conditioned on and shall remain in effect only for so long as said property is developed with an open storage lot, or those uses permitted in the M, Manufacturing District.

**SECTION 3.** That this ordinance is further conditioned on the Subject Site being developed in general conformance with the site plan titled, "**ARCH CITY GROUP, LLC**," dated August 29, 2019, and signed by Anna M. Hill, Applicant. 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 plans shall be subject to review and approval by the Director of the Department 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 upon 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.