



City of Columbus

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

Legislation Text

File #: 2742-2019, **Version:** 1

Council Variance Application: CV19-050

APPLICANT: Amerco Real Estate Company; c/o Dave Perry, Agent; David Perry Company, Inc.; 411 East Town Street, 1st Floor; Columbus, OH 43215; and Donald Plank, Atty.; Plank Law Firm; 411 East Town Street, 2nd Floor; Columbus, OH 43215.

PROPOSED USE: Self-storage facility.

GREATER SOUTH EAST AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The 1.66 acre site is undeveloped and zoned in the C-4, Commercial District. The requested Council variance will permit a self-storage facility. The variance is necessary because self-storage facilities are only permitted in the M, M-1, or M-2, Manufacturing districts. The site is located within the boundaries of the *Hamilton Road Corridor Revitalization Plan* (2008), which recommends "Commercial/Personal Business Services" land uses for this location. Additionally, the Plan includes early adoption of the *Columbus Citywide Planning Policies* (C2P2) Design Guidelines. While Staff's preference is for the underlying zoning district to be reflective of the current use on the site, the proposal is an extension of an existing self-storage facility on the adjacent parcel to the west which is also zoned in the C-4 district and is subject to a Council variance. The request is consistent with the Plan's land use recommendation for personal service uses and includes an evergreen landscaped buffer which mitigates its impact on adjacent residential development as recommended by the C2P2 Design Guidelines.

To grant a Variance from the provisions of Section 3356.03, C-4 permitted uses, of the Columbus City Codes; for the property located at **4416 REFUGEE RD. (43232)**, to permit a self-storage facility in the C-4, Commercial District (Council Variance #CV19-050).

WHEREAS, by application #CV19-050, the owner of property at **4416 REFUGEE RD. (43232)**, is requesting a Council variance to permit a self-storage facility in the C-4, Commercial District; and

WHEREAS, Section 3356.03, C-4 permitted uses, prohibits self-storage facilities, while the applicant proposes to develop the site with a self-storage facility; and

WHEREAS, the Greater South East Area Commission recommends approval; and

WHEREAS, the City Departments recommend approval because the requested variance will allow a self-storage facility that is consistent with the land use recommendations of the *Hamilton Road Corridor Revitalization Plan*, which also includes an appropriate landscaping buffer as recommended by the C2P2 Design Guidelines; and

WHEREAS, this ordinance requires separate submission for all applicable permits and Certificates of Occupancy for the proposed development; 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 **4416 REFUGEE RD. (43232)**, 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, of the Columbus City Codes, is hereby granted for the property located at **4416 REFUGEE RD. (43232)**, insofar as said section prohibits a self-storage facility; said property being more particularly described as follows:

4416 REFUGEE RD. (43232), being 1.66± acres located on the north side of Refugee Road, 370± feet east of South Hamilton Road, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin, City of Columbus, being part of Half Section 49, Township 12, Range 21, REFUGEE LANDS, being 1.664 acres out of that original 4.978-acre tract of land as described in a deed to Saga Property Management Corporation, of record in Official Record Volume 3328, Page D05, all references to volumes and books of record in the Recorder's Office, Franklin County, Ohio, said 1.664-acre tract being more particularly described as follows:

Beginning, for reference, at an iron pin at the southeasterly corner of said original 4.978-acre tract, in the northerly right-of-way line of Refugee Road at the northeasterly corner of that 0.66-acre tract of land as described in a deed to the State of Ohio as Parcel No. 153A-2WD of record in Deed Book 3217, Page 565 and at the southwesterly corner of that 1.023-acre tract of land as described in a deed to Robert L. Schirtzinger, of record in Deed Book 3678, Page 490;

Thence North 1° 30' 00" West, with the westerly line of said 1.023-acre tract, the easterly line of said 4.978-acre tract, a distance of 431.22 feet to the TRUE PLACE OF BEGINNING;

Thence crossing said 4.978-acre tract the following two courses and distances:

1. North 88° 30' 00" West, a distance of 184.54 feet to a point;
2. South 1° 30' 00" West, a distance of 428.30 feet to a point in the northerly right-of-way of said Refugee Road, the southerly line of said 4.978-acre tract, the northerly line of said 0.66-acre tract;

Thence North 88° 21' 50" West, with the southerly lie of said 4.978-acre tract the northerly line of said 0.66-acre tract, the northerly line of Refugee Road a distance of 50.00 feet to a point;

Thence crossing said 4.978-acre tract the following four courses and distances:

1. North 1° 30' 00" East, a distance of 25.00 feet to a point;
2. South 88° 21' 50" East, a distance of 20.00 feet to a point;
3. North 1° 30' 00" East, a distance of 403.23 feet to a point;
4. North 88° 30' 00" West, a distance of 143.47 feet to an angle point in the westerly line of said 4.978-acre tract, an angle point in the easterly line of that 3.727-acre tract of land as described in a deed to U-Haul Co., of record in Deed Book 3741, Page 569;

Thence North 42° 14' 02" East, with the said easterly line of said 3.727-acre tract, the westerly line of said 4.978-acre tract a distance of 300.00 feet to a point;

Thence South 88° 30' 00" East, with the northerly line of said 4.978-acre tract a southerly line of said 3.727-acre tract a distance of 162.24 feet to a point in the westerly line of that 16.002-acre tract of land as described in a deed to Columbia-East, Ltd., of record in Deed Book 3057, Page 267, the northeasterly corner of said 4.978-acre tract, a southeasterly corner of said 3.727-acre tract;

Thence South 1° 30' 00" West, with the westerly line of said 16.002 acre-tract, the easterly line of said 4.978-acre tract, a distance of 227.33 feet to the TRUE PLACE OF BEGINNING and containing 1.664 acres of land more or less, subject, however, to all rights-of-way, easements, and restrictions, if any, of previous record.

Containing 1.664 Acres

Parcel Number: 010-061515

Property Address: 4416 Refugee Road, Columbus, Ohio

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 or those uses permitted in the C-4, Commercial District.

SECTION 3. That this ordinance is further conditioned on the Subject Site being developed in general conformance with the site plan titled "**ZONING VARIANCE SITE PLAN**," signed by Dave Perry, Agent for the Applicant, and Donald Plank, Attorney for the Applicant, and dated October 3, 2019. 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 development.

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