



Legislation Text

File #: 1963-2020, **Version:** 1

APPLICANT: CCC Columbus LLC; c/o Jeffrey L. Brown, Atty.; 37 W. Broad St., Suite 460; Columbus, OH 43215.

PROPOSED USE: Outdoor storage.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The applicant has received a recommendation of approval from Staff and the Development Commission for a concurrent rezoning request to the M, Manufacturing District (Ordinance #1962-2020; Z20-011) to permit open storage of materials associated with the industrial facility developed on the remaining portion of the parcel. 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, right of way dedication, and fence locations. Staff is supportive of the reduced development standards as the request is an alteration to the existing industrial development and does not add an incompatible use to the surrounding area.

To grant a Variance from the provisions of Section 3363.41, Storage; of the Columbus City Codes for property located at **835 N. CASSADY AVE. (43219)**, to permit reduced open storage setbacks for an industrial development in the M, Manufacturing District (Council Variance #CV20-014).

WHEREAS, by application #CV20-014, the owner of property at **835 N. CASSADY AVE. (43219)**, 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 60 feet from a residential district, 0 feet from Cassady Avenue, and 0 feet from all other interior lot lines, as shown on the site plan; and

WHEREAS, said ordinance requires separate submission for all applicable permits and Certificates of Zoning Clearance for the proposed uses; and

WHEREAS, the City Departments recommend approval of the requested Council variance for the proposed reduced open storage setbacks as this is an alteration of an existing industrial development that is compatible with the development pattern of the area; and

WHEREAS, the granting of said variance will not impair an adequate supply of light and air to adjacent property, unreasonably increase the congestion of public streets, increase the danger of fires, endanger the public safety, unreasonably diminish or impair established property values within the surrounding area, or in any other respect impair the public health, safety, comfort, morals, or welfare of the inhabitants of the city; and

WHEREAS, the granting of said variance will alleviate the difficulties encountered by the owner of the property located at **835 N. CASSADY AVE. (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 Section 3363.41, Storage, of the Columbus City Codes, are hereby granted for the property located at **835 N. CASSADY AVE. (43219)**, to permit a reduced open storage setback from a residential district from 100 feet to 60 feet, from the Cassady Avenue right-of-way line from 30 feet to 0 feet, and from interior lot lines from 20 feet to 0 feet; said property being more particularly described as follows:

835 N. CASSADY AVE. (43219), being 0.39± acres located on the west side of North Cassady Avenue, 95± feet north of East 6th Avenue, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin, City of Columbus, being a part of Quarter Township No.3, Township - 1, Range - 17, United States Military Lands, and being 0.385 acres of land of (including Lots No. 33 and No. 34 of North Bexley View No. 3, Plat Book 17, Pg 58) CCC Columbus, LLC of (PID 010-126708) IN 200402190036045 (all references refer to records in the Franklin County Recorder's Office, Ohio) and being more fully described as follows:

Beginning at a point at the southeast corner of Lot No. 34 also being the northeast corner of Lot No. 35 of said North Bexley View Addition No. 3 on the westerly right of way of Cassady Avenue (60;) being the Point of Beginning;

Thence North 89°07'47" West a distance of 144.35 feet, along a southerly line of said Lot No. 34 and northerly line of said Lot No. 35, to a point in the platted 15.00 alley west of said Lot No. 34 and a southwesterly corner of said CCC Columbus, LLC;

Thence North 6°22'43" East a distance of 115.31 feet, along a westerly property line of said CCC Columbus, LLC, to a point;

Thence South 90°00'00" East a distance of 143.96 feet to a point in the westerly right of way of said Cassady Avenue;

Thence South 6°04'49" West a distance of 118.00 feet, along the westerly right of way of said Cassady Avenue, to the Point of Beginning containing 0.385 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 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 "**SITE COMPLIANCE PLAN EXHIBIT**," signed by Jeffrey L. Brown, attorney for the Applicant, and dated August 22, 2020. 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 upon the applicant obtaining all applicable permits and a Certificate of Zoning Clearance for the proposed use.

SECTION 5. That this ordinance is further conditioned on the applicant conveying 50 feet of right of way from the centerline of Cassady Avenue to the City of Columbus in conjunction with the final Site Compliance Plan.

SECTION 6. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.