



Legislation Text

File #: 0092-2021, **Version:** 1

Council Variance Application: CV20-111

APPLICANT: Zen Bee Meadery; c/o Timothy Daniel DeMura; 7274 Reliance Street; Columbus, OH 43085.

PROPOSED USE: Meadery with accessory tasting room and retail sales.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The site is comprised of one parcel developed with a 9,600 square foot office/industrial building and a self-storage facility in the M-2, Manufacturing District. The requested Council variance will allow one of the tenant spaces within the office/industrial building to legitimize a 1,200 square foot meadery and 800 square foot accessory tasting room and retail space, with 315 square feet of outside seating proposed. The variance is necessary because a meadery is categorized as a "more objectionable" manufacturing use, and the M-2 district does not allow more objectionable manufacturing uses, eating/drinking, or retail uses. A parking space reduction from 22 to 17 spaces is being requested, and a variance to reduce the 600-foot distance separation requirement is included as there is an existing residential development within 537± feet of the north parcel line. The site is located within the planning area of the *Far North Area Plan* (2014), which recommends "Warehouse Flex" uses for this location, a designation that supports light industrial uses. The accessory tasting room and retail sales uses are for product manufactured on site and are ancillary to the primary production use. For these reasons, staff supports the request and finds the proposed use consistent with the Plan's land use recommendation for light industrial development.

To grant a Variance from the provisions of Sections 3367.01, M-2, Manufacturing uses; 3311.28(b), Requirements; and 3312.49, Minimum numbers of parking spaces required, of the Columbus City Codes; for the property located at **7472 RELIANCE ST. (43085)**, to permit a meadery with accessory tasting room and retail sales with reduced development standards in the M-2, Manufacturing District (Council Variance #CV20-111).

WHEREAS, by application #CV20-111, the owner of property at **7472 RELIANCE ST. (43085)**, is requesting a Council Variance to permit a meadery with accessory tasting room and retail sales with reduced development standards in the M-2, Manufacturing District; and

WHEREAS, Section 3367.01, M-2, Manufacturing district, permits only *less objectionable* manufacturing uses, while the applicant proposes a meadery (a *more objectionable* manufacturing use) with accessory tasting room, outside seating area, and retail sales; and

WHEREAS, Section 3311.28(b), Requirements, requires that more objectionable uses are to be conducted within the M or M-1, Manufacturing districts, and within not less than 600 feet from any residential districts, while the applicant proposes a meadery in the M-2, Manufacturing District on a lot that is within 537± feet of residentially-zoned property; and

WHEREAS, Section 3312.49, Minimum numbers of parking spaces required, requires one parking space per 750 square feet of meadery space, one parking space per 175 square feet of accessory eating and drinking space, one parking space per 450 square feet of general office space, and one parking space per 1,000 square feet of storage space plus one for each vehicle used in the business, for a total of 22 required parking spaces for the 9,600 square foot building housing the meadery, while the applicant proposes to maintain 17 parking spaces, noting that the meadery is only open to the public

on evenings and weekends; and

WHEREAS, City Departments recommend approval of the requested Council variance because the proposed meadery is a small-scale operation within an existing 9,600± square-foot building that is located approximately 537 feet from residential development. The tasting room and retail uses are for product manufactured on site and are ancillary to the primary use. Because the meadery is only open to the public during evenings and weekends, the parking variance is negligible. For these reasons, staff supports the requested variances, and finds that the proposed use is consistent with the *Far North Area Plan's* land use recommendation for light industrial development. Approval of this request will not add an incompatible use to 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 **7472 RELIANCE ST. (43085)**, 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 3367.01, M-2, Manufacturing uses; 3311.28(b), Requirements; and 3312.49, Minimum numbers of parking spaces required, of the Columbus City Codes; is hereby granted for the property located at **7472 RELIANCE ST. (43085)**, insofar as said sections prohibit a meadery with accessory tasting room, outside seating, and retail sales, with a reduction in the required distance separation from residentially-zoned property from 600 feet to 537± feet, and a parking space reduction from 22 required to 17 provided spaces; said property being more particularly described as follows:

7472 RELIANCE ST. (43085), being 3.67± acres located on the east side of Reliance Street, 460± feet south of Worthington Woods Boulevard, and being more particularly described as follows:

Situated in the City of Columbus, County of Franklin and State of Ohio, being in Lot 5 of Smith & Jenkins unrecorded subdivision of Section 1, Township 2, Range 18, United States Military Lands, containing 3.666 acres of land, said 3.666 acres being out of that 35.151 acre tract of land described in the Deed to Giuseppe A. Pingue and Joanna L. Pingue, recorded in Book 3701, Page 590 of Franklin County Records, said 3.666 acres of land being more particularly described as follows:

Beginning, for reference, at a 3/4" (I.D.) iron pipe at the southeasterly corner of the right-of-way of Reliance Street, 60 feet wide, as the same is shown and delineated upon the recorded plat of Worthington Woods Section Two, recorded in Plat Book 58, Pages 89 and 90 of Franklin County Records, the same being in a southerly line of said 35.151 acre tract and at a southeasterly corner of that 48.019 acre tract of land described in the Deed to Pingue Properties, Inc., recorded in Book 3791, Page 34 of Franklin County Records, said reference point of beginning point also being the northwesterly corner of that 9.563 acre tract of land described in the Deed to Reliance Electric Company, recorded in Book 3374, Page 1 of Franklin County Records, and the northeasterly corner of the right-of-way of Reliance Street as the same is shown and delineated upon the recorded plat of the Dedication of Reliance Street, recorded in Plat Book 48, Page 86 of Franklin County Records; thence North 3 deg. 04' 53" East, with an easterly right-of-way line of said Reliance Street and with an easterly line of said 48.019 acre tract, a distance of 419.98 feet to a 3/4" (I. D.) iron pipe at the true point of beginning;

Thence from said true point of beginning, North 3 degrees 04' 53" East, with an easterly right-of-way line of said Reliance Street and with an easterly line of said 48.019 acre tract, a distance of 245 feet to a corner of said 48.019 acre tract, said point also being in a northerly line of said 35.151 acre tract, said point being witnessed by a drill hole in concrete headwall located North 87 degrees 08' 44" West, a distance of 7.00 feet from the hereinabove described property corner;

Thence South 87 degrees 08' 44" East, with a northerly line of said 35.151 acre tract and with a southerly line of said 48.019 acre tract, a distance of 606.02 feet to a corner of said 48.019 acre tract, the same also being a southwesterly corner of that 1.810 acre tract of land described in the deed to Emco Development Co. of record in Official Record 04949E16, Recorder's Office, Franklin County, Ohio;

Thence South 42 degrees 08' 44" East, with a southwesterly line of said 48.019 acre tract and, in part, with a southwesterly line of said 1.810 acre tract, passing a corner of said 1.810 acre tract at a distance of 57.45 feet, a total distance of 71.84 feet to a 3/4 inch (I. D.) iron pipe at a corner of said 48.019 acre tract;

Thence South 3 degrees 04' 53" West, with a westerly line of said 48.019 acre tract, a distance of 194.20 feet to a 3/4 inch (I. D.) iron pipe;

Thence North 87 degrees 08' 44" West, parallel with and 245 feet southerly from, as measured at right angles, both, a northerly line of said 35.151 acre tract and a southerly line of said 48.019 acre tract, passing 3/4 inch (I. D.) iron pipe on line at a distance of 25 feet, a total distance of 657.02 feet to the true point of beginning and containing 3.666 acres of land, more or less.

Subject to all right-of-ways, easements and restrictions, if any, of previous record.

We hereby certify that the foregoing description was prepared from information obtained from actual field surveys conducted by Bauer, Davidson & Merchant, Inc and were in place on February 22, 1985.

The bearings given in the foregoing description correspond to the bearings shown on said recorded plat of Worthington Woods Section Two.

7472-7500 Reliance Street, Columbus OH 43085
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SECTION 2. That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for a meadery of up to a 1,200 square feet, an accessory tasting room area of up to 800 square feet, an outside seating area of up to 315 square feet, and incidental retail sales, or those uses permitted in the M-2, Manufacturing District.

SECTION 3. That this ordinance is further conditioned on the applicant obtaining all applicable permits and a Certificate of Occupancy for the proposed use.

SECTION 4. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.