



Legislation Text

File #: 2580-2021, **Version:** 1

Council Variance Application: CV21-006

APPLICANT: Courlin Properties LLC; c/o Jon Stevenson, Atty.; 100 South Fourth Street, Suite 100; Columbus, OH 43215.

PROPOSED USE: Single-unit dwelling and commercial storage building.

FAR SOUTH COLUMBUS AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The site is developed with a single-unit dwelling in the RRR, Restricted Rural Residential District. The applicant requests a Council variance to permit the construction of a 5,000 square foot commercial storage building with a lot split to create separate lots for the existing single-unit dwelling and the proposed storage building. Variances to lot area and fronting are included in this request. The site is located within the boundaries of the *South Alum Creek Neighborhood Plan* (2004), which recommends "Manufacturing and Industrial" land uses at this location. Additionally, the Plan includes early adoption of the *Columbus Citywide Planning Policies* (C2P2) Design Guidelines (2018). Staff finds that the proposal will not add an incompatible use to the area and additional landscaping and screening will be provided along the frontage of Behm Road to mitigate impacts on adjacent residential uses.

To grant a Variance from the provisions of Sections 3332.025, RRR restricted rural residential district; 3332.08, RRR area district requirements; and 3332.19, Fronting, of the Columbus City Codes; for the property located at **1920 WILLIAMS RD. (43207)**, to permit a 5,000 square foot commercial storage building and single-unit dwelling with reduced development standards in the RRR, Restricted Rural Residential District (Council Variance #CV21-006).

WHEREAS, by application #CV21-006, the owner of the property at **1920 WILLIAMS RD. (43207)**, is requesting a Variance to permit a 5,000 square foot commercial storage building and single-unit dwelling with reduced development standards in the RRR, Restricted Rural Residential District; and

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

WHEREAS, Section 3332.025, RRR restricted rural residential district, prohibits storage uses, while the applicant proposes to construct a 5,000 square foot commercial storage building on a newly-created lot; and

WHEREAS, Section 3332.08, RRR area district requirements, requires a new lot in the RRR to have no less than 20,000 square feet of lot area, while the applicant proposes to create a lot of only 19,500 square feet for the existing single-unit dwelling; and

WHEREAS, Section 3332.19, Fronting, requires a dwelling or other principal building to have frontage on a public street, while the applicant proposes to create a lot with frontage on Behm Road which, due to its limited width, is not a public street; and

WHEREAS, the City Departments recommend approval of the requested variances because the proposal will not add an

incompatible use to the area, and additional landscaping and screening will be provided along the frontage of Behm Road to mitigate impacts on adjacent residential uses; and

WHEREAS, said ordinance requires separate submission for all applicable permits and a Certificate of Occupancy for the proposed commercial storage building; 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 **1920 WILLIAMS RD. (43207)**, in using said property as desired; now, therefore:

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That a variance is hereby granted from the provisions of Sections 3332.025, RRR restricted rural residential district; 3332.08, RRR area district requirements; and 3332.19, Fronting, of the Columbus City Codes, for the property located at **1920 WILLIAMS RD. (43207)**, insofar as said sections prohibit a 5,000 square foot commercial storage building in the RRR, Restricted Rural Residential District; with a reduced lot size from 20,000 square feet to 19,500 square feet for the new lot containing the existing single-unit dwelling and no frontage on a public street for the new lot containing the proposed storage building; said property being more particularly described as follows:

1920 WILLIAMS RD. (43207), being 1.72± acres located at the northwest corner of Williams Road and Behm Road, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin and in the City of Columbus:

Being a part of the South West Quarter of Section No. 12, Township No. 4, Range 22, Matthew's Survey of Congress Lands, and being more particularly bounded and described as follows:

Beginning at an iron pin in the South line of said Section and in the center of the Spangler Road and the center line of the Township Road running north therefrom;

Thence West 169 feet with the South line of said Section and the center of said Road to an iron pin;

Thence North 0 degrees 15' East 504.3 feet to a stake; thence South 89 degrees 11' East 167.35 feet to the center of said Township Road (passing a stake on line in the West edge of said Road at 157.35 feet) thence South 0 degrees 4' West 505.2 feet with the Center line of said Township Road to the place of beginning, containing 1.95 acres of land, excepting therefrom a Parcel 50 X 200 feet out of the Southwest corner thereof heretofore conveyed to Saddle Emmeihainz and more particularly described in Deed Book 772, Page 497, Recorder's Office, Franklin County, Ohio, Excepting therefrom situated in the County of Franklin, City of Columbus, State of Ohio:

Being part of the Southwest Quarter of Section No. 12. Township No. 4, Range 22 Matthew's Survey of Congress Lands and being bounded and described as follows:

Beginning at an iron pin in the center of the Spangler Road 169 feet West of the intersection of Spangler Road with the Township Road; thence North 0 degrees 15' East 200 feet to a point; thence South 89 degrees 11' East 50 feet;

Thence South on a line parallel with the West line hereof 200 feet to the center of the Spangler Road;

Thence West 50 feet to the place of beginning.

Except for the following and subject to all of which this conveyance is made: legal highways; zoning ordinances; real estate taxes and assessments which are now or may hereafter become a lien on said premises; covenants, conditions, restrictions and easements of record; and all coal, oil, gas, and other mineral rights and interests previously transferred or reserved of record.

SECTION 2. That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for a commercial storage building, up to 5,000 square feet, or those uses permitted in the in the RRR, Restricted Rural Residential District.

SECTION 3. That this ordinance is further conditioned on the subject site being developed in general conformance with the site plan titled, "**PRELIMINARY SITE COMPLIANCE PLAN, 1920 WILLIAMDS RD, COLUMBUS, OH 43207**" dated October 18, 2021, and signed by Nicholas Elmasian, Engineer for the 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 plan 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 on the applicant obtaining all applicable permits and a Certificate of Occupancy for the proposed storage building.

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