



Legislation Text

File #: 1670-2022, Version: 2

Rezoning Application Z22-031

APPLICANT: Hannah Bubnar; 2535 Linbaugh Road; Columbus, OH 43132.

PROPOSED USE: An above-ground swimming pool for an existing single-unit dwelling.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (6-0) on June 9, 2022.

WESTLAND AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The 0.34± acre site consists of one parcel developed with a single-unit dwelling zoned in the L-R-2, Limited Residential District. The requested R-2, Residential District will permit an above-ground swimming pool as an accessory use to the single-unit dwelling. Rezoning is necessary because the current L-R-2 district, which was established in 1994, prohibits above-ground swimming pools. This request is supported as the principal use will not change as the single-unit dwelling is already constructed. It is staff's preference that restrictions for features such as swimming pools be established by deed restrictions rather than as zoning limitations. Although such limitations are no longer accommodated in rezoning ordinances, there remain older zoning districts that still include them such as this case.

To rezone **2535 LINBAUGH RD. (43123)**, being 0.34± acre located on the west side of Linbaugh Road at the terminus of Linbaugh Road and Bridgehill Drive, **From:** L-R-2, Limited Residential District, **To:** R-2, Residential District (Rezoning #Z22-031) **and to declare an emergency.**

WHEREAS, application #Z22-031 is on file with the Department of Building and Zoning Services requesting rezoning of 0.34± acres from the L-R-2, Limited Residential District, to the R-2, Residential District; and

WHEREAS, the Development Commission recommends approval of said zoning change; and

WHEREAS, the Westland Area Commission recommends approval of said zoning change; and

WHEREAS, the City Departments recommend approval of said zoning change because the requested R-2, Residential District will remove antiquated imitations of the existing L-R-2, Limited Residential District to allow an above ground swimming pool for an existing single-unit dwelling; **and**

WHEREAS, an emergency exists in the usual daily operation of the City of Columbus in that it is immediately necessary to pass this ordinance so that permit can be obtained and pool installed before end of the summer; now, therefore:

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

SECTION 1. That the Official Zoning Map of the City of Columbus, as adopted by Ordinance No. 0179 -03, passed February 24, 2003, and as subsequently amended, is hereby revised by changing the zoning of the property as follows:

2535 LINBAUGH RD. (43123), being 0.34± acre located on the west side of Linbaugh Road at the terminus of Linbaugh Road and Bridgehill Drive, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin, City of Columbus and being described as follows:
Being Lot Number One Hundred Thirty Eight (138), in Windward Farms Section 3, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 95, Page 100, Recorder's Office, Franklin County, Ohio.

Note: Lot is in the area of Bolton Field which is administered by the Columbus Airport Authority.

Parcel No.: 570-255679-00

Property Address: 2535 Linbaugh Road, Grove City, Ohio 43123

To Rezone From: L-R-2, Limited Residential District,

To: R-2, Residential District.

SECTION 2. That a Height District of thirty-five (35) feet is hereby established on the R-2, Residential District on this property.

SECTION 3. That the Director of the Department of Building and Zoning Services be, and is hereby authorized and directed to make the said changes on the said original zoning map in the office of the Department of Building and Zoning Services.

SECTION 4. ~~That this ordinance shall take effect and be in force from and after the earliest period allowed by law.~~ **That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or 10 days after its passage if the Mayor neither approves nor vetoes the same.**