



## Legislation Text

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**File #:** 2393-2022, **Version:** 1

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### **Council Variance Application: CV22-004**

**APPLICANT:** Ohio 1 Developers LLC; c/o Connie Klema, Atty.; P.O. Box 991, Pataskala, OH 43062.

**PROPOSED USE:** Storage uses.

**COLUMBUS SOUTH SIDE AREA COMMISSION RECOMMENDATION:** Approval.

**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 L-M, Limited Manufacturing District (Ordinance #2392-2022; Z22-006) to permit storage uses. The requested variance will permit the construction of an additional 7,800± square foot self-storage building on the southeast portion of the parcel. Variances to reduce the minimum number of parking spaces from 9 required to 8 provided, to reduce the building setback line from 40 feet to 10 feet along Frebis Road, to reduce the minimum number of loading spaces, to permit the existing building to encroach into the building line, and to reduce the minimum distance from a residential district are included in the request. Planning Division is in full support of the proposal as site improvements are incorporated to relocate parking and provide screening consistent with *Columbus Citywide Planning Policies (C2P2) Design Guidelines (2018)* for buffering and screening.

To grant a Variance from the provisions of Sections 3312.49, Minimum numbers of parking spaces required; 3312.53, Minimum number of loading spaces required; 3363.24, Building lines in an M-manufacturing district; and 3363.27(b)(1) (b)(2), Height and area regulations, of the Columbus City Codes; for the property located at **1549 FREBIS AVE. (43206)**, to permit reduced development standards for self-storage use in the L-M, Limited Manufacturing District (Council Variance #CV22-004).

**WHEREAS**, by application #CV22-004, the owner of property at **1549 FREBIS AVE. (43206)**, requests a Council variance to permit reduced development standards concurrent with a rezoning request to the L-M, Limited Manufacturing District; and

**WHEREAS**, 3312.49, Minimum numbers of parking spaces required, requires one parking space per 450 square feet of general office space, for a total of 9 parking spaces for 3,623 square feet of general office space, while the applicant proposes 8 total parking spaces; and

**WHEREAS**, Section 3312.53, Minimum number of loading spaces required, requires 1 loading space for between 10,000 to 75,000 square feet of commercial or industrial use, while the applicant proposes zero loading spaces; and

**WHEREAS**, Section 3363.24, Building lines in an M-manufacturing district, requires a building setback line of 40 feet, while the applicant proposes a building setback line of 10 feet; and

**WHEREAS**, Section 3363.27(b)(1)(b)(2) Height and area regulations, requires that a building cannot be established between the building line and any street line and that such setback line shall be the required building setback; and requires a minimum 25 foot setback from residential districts for M, Manufacturing Districts, while the applicant proposes to

encroach 30 feet into the building setback line and the street; and a minimum setback of not less than 3 feet from a residential district; and

**WHEREAS**, the Columbus South Side Area Commission recommends approval; and

**WHEREAS**, the City Departments recommend approval as the request will allow an industrial development with site improvements to relocate parking and provide screening generally consistent with C2P2 design guidelines; and

**WHEREAS**, this 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 owners of the property located at **1549 FREBIS AVE. (43206)**, 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 3312.49, Minimum numbers of parking spaces required; 3312.53, Minimum number of loading spaces required; 3363.24, Building lines in an M-manufacturing district; and 3363.27(b)(1)(b)(2), Height and area regulations, of the Columbus City Codes, is hereby granted for the property located at **1549 FREBIS AVE. (43206)**, insofar as said sections prohibit a reduction in the minimum number of parking spaces from 9 required to 8 provided; a reduction is the minimum number of loading spaces from 1 to zero; a reduced building setback line from 40 feet to 10 feet; the establishment of a building between the building line and any street; and a reduced minimum setback from a residential district from 25 feet to not less than 3 feet; said property being more particularly described as follows:

**1549 FREBIS. (43206)**, being 1.36± acres located on the south side of Frebis Avenue, 135± feet east of Fairwood Avenue, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin, City of Columbus, being part of Lot No. 7 of Nathaniel, Marion's Subdivision of the North Half of half Section No. 30, or the North half of the East half of Section No. 26, of Township No. 8, Range 22, Refugee Lands, as said Lot No. 7 is numbered and delineated upon the recorded plat of said subdivision of record in Plat Book No. 1, Page 189, and being part of that 1.671 acre tract (with exceptions) described in a deed to Ohio 1 Developers, LLC of record in Instrument 201810110138500 (all references in this description are to the records in the Recorder's Office, Franklin County, Ohio) and being more particularly described as follows:

Beginning for reference at the centerline intersection of Frebis Avenue with the centerline of Fairwood Avenue heading north;

Thence South 86° 11' 27" East 155.95 feet, along the centerline of Frebis Avenue to the northwesterly corner of said 1.671 acre tract:

Thence South 03° 15' 00" West 30.00 feet along the west line of said 1.671 acre tract, to the southwesterly corner of that tract described in a deed to the City of Columbus of record in Deed Book 2781, Page 606, THE TRUE POINT OF BEGINNING;

Thence South 86° 11' 27" East 116.47 feet, along the southerly right-of-way line of Frebis Avenue, to the westerly line of that 0.252 acre tract described in a deed to Ohio 1 Developers, LLC of record in Instrument 201902250021625;

Thence South 03° 17' 42" West 183.15 feet, along the westerly line of said 0.252 acre tract to a point;

Thence South  $86^{\circ} 11' 27''$  East 60.00 feet, along the southerly line of said 0.252 acre tract, to a point on the westerly line of that 1.671 acre tract (with exceptions) described in a deed to Stephanie C. Green of record in Instrument 201311060186648;

Thence South  $03^{\circ} 17' 42''$  West 200.00 feet, along the westerly line of said 1.671 acre tract to a common corner of said 1.671 acre tracts;

Thence North  $86^{\circ} 26' 33''$  West 176.16 feet, to the southwesterly corner of said 1.671 acre tract of Ohio 1 Developers, LLC

Thence North  $03^{\circ} 15' 00''$  East 383.93 feet, along the westerly line of said 1.671 acre tract to the Point of Beginning, containing 1.300 acres of land, more or less, subject to any easements, restrictions or right-of-ways of previous record. Bearings are referenced to the centerline of Frebis Avenue as South  $86^{\circ} 05' 14''$  East and all other bearings were calculated from this meridian.

The above description was prepared by Site Engineering, Inc. from available records and is not intended to be for transfer of title.

**SECTION 2.** That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for those uses permitted in the L-M, Limited Manufacturing District as specified in Ordinance #2392-2022 (Z22-006).

**SECTION 3.** That this ordinance is further conditioned upon 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.