

East Weber Road, 6 feet less than the minimum 120 feet required by the C-5 Commercial District; and,

Whereas, Section 3331.09, C-5 Commercial District of the Columbus City Codes prohibits a use in said District without the minimum lot width of 120 feet at the front building line and thereby prevents Tremarco Corporation from establishing a 7-Eleven Store on said lot in compliance with the City Code requirements; now, therefore,

Be it ordained by the Council of the City of Columbus:

**Section 1.** That Tremarco Corporation, the property owner of 900 East Weber Road, Columbus, Ohio, their heirs, representatives, successors and assigns being a 114' x 130' tract located on the northeast corner of Weber Road and Pontiac Street and being more particularly described as follows:

**Tract #1**

All that certain tract or parcel of land and premises hereinafter particularly described situate, lying and being in the City of Columbus, Franklin County, and State of Ohio:

Situated in the City of Columbus, County of Franklin, State of Ohio: Being all of Lot Number Seventy-Six (76) of Sunnyside Subdivision as the said lot is numbered and delineated on the recorded plat thereof, of record in Plat Book 15, Page 25, Recorder's Office, Franklin County, Ohio, and bounded and described as follows:

Beginning at an iron pin at the northeast corner of the intersection of East Weber Road (60 feet wide) and Pontiac Street (50 feet wide), said iron pin being also at the southwest corner of Lot No. 76, as the said pin is located on the above mentioned recorded plat;

Thence, North 4° 37' East along the east line of Pontiac Street and the west line of Lot No. 76 a distance of 130.00 feet to an iron pin in the south line of the 20 foot alley north of East Weber Road, said iron pin being also at the northwest corner of Lot No. 76;

Thence, South 86° 20' East parallel with the north line of East Weber Road and along the south line of said alley and the north line of Lot No. 76 a distance of 38.00 feet to a point at the northeast corner of Lot No. 76 and the northwest corner of Lot No. 77;

Thence, South 4° 37' West parallel with the east line of Pontiac Street and along the east line of Lot No. 76 and the west line of Lot No. 77 a distance of 130.00 feet to a point in the north line of East Weber Road at the southeast corner of Lot No. 76 and the southwest corner of Lot No. 77;

Thence, North 86° 20' West along the north line of East Weber Road and the south line of Lot No. 76 a distance of 38.00 feet to the place of beginning; containing 0.1 acre of land more or less.

**Tract #2**

Situated in the City of Columbus, County of Franklin, State of Ohio: Being all of Lot Number Seventy-Seven (77) of Sunnyside Subdivision as the said lot is numbered and delineated on the recorded plat thereof, of record in Plat Book 15, Page 25, Recorder's Office, Franklin County, Ohio, and bounded and described as follows:

Beginning at a point in the north line of East Weber Road (60 feet wide) at the southwest corner of Lot No. 77 and the southeast corner of Lot No. 76, said point being South 86° 20' East a distance of 38.00 feet from an iron pin at the northeast corner of the intersection of East Weber Road and Pontiac Street (50 feet wide) as the said iron pin is located on the above mentioned recorded plat;

Thence, North 4° 37' East along the west line of Lot No. 77 and the east line of Lot No. 76 a distance of 130.00 feet to a point in the south line of the 20-foot alley north of East Weber Road, said point being also at the northwest corner of Lot No. 77 and the northeast corner of Lot No. 76;

Thence, South 86° 20' East parallel with the north line of East Weber Road and along the south line of said alley and the north line of Lot No. 77 a distance of 38.00 feet to a point at the northeast corner of Lot No. 77 and the northwest corner of Lot No. 78;

Thence, South 4° 37' West parallel with the east line of Pontiac Street and along the east line of Lot No. 77 and the west line of Lot No. 78 a distance of 130.00 feet to a point in the north line of East Weber Road at the southeast corner of Lot No. 77 and the southwest corner of Lot No. 78;

Thence, North 86° 20' West along the north line of East Weber Road and the south line of Lot No. 77 a distance of 38.00 feet to the place of beginning; containing 0.1 acre of land more or less.

**Tract #3**

Situated in the City of Columbus, County of Franklin, State of Ohio: Being all of Lot Number Seventy-Eight (78) of Sunnyside Subdivision as the said lot is numbered and delineated on the recorded plat thereof, of record in Plat Book 15, Page 25, Recorder's Office, Franklin County, Ohio, and bounded and described as follows:

Beginning at a point in the north line of East Weber Road (60 feet wide) at the southwest corner of Lot No. 78 and the southeast corner of Lot No. 77, said point being South 86° 20' East a distance of 76.00 feet from an iron pin at the northeast corner of the intersection of East Weber Road and Pontiac Street (50 feet wide) as the said iron pin is located on the above mentioned recorded plat;

Thence, North 4° 37' East along the west line of Lot No. 78 and the east line of Lot No. 77 a distance of 130.00 feet to a point in the south line of the 20-foot alley north of East Weber Road, said point being also at the northwest corner of Lot No. 78 and the northeast corner of Lot No. 77;

Thence, South 86° 20' East parallel with the north line of East Weber Road and along the south line of said alley and the north line of Lot No. 78 a distance of 38.00 feet to an iron pin at the northeast corner of Lot No. 78 and the northwest corner of Lot No. 79;

Thence, South 4° 37' West parallel with the east line of Pontiac Street and along the east line of Lot No. 78 and the west line of Lot No. 79 a distance of 130.00 feet to an iron pin in the north line of East Weber Road at the southeast corner of Lot No. 78 and the southwest corner of Lot No. 79;

Thence, North 86° 20' West along the north line of East Weber Road and the south line of Lot No. 78 a distance of 38.00 feet to the place of beginning; containing 0.1 acre of land more or less be and hereby is granted a variance from the provisions of Section 3331.09, C-5, Commercial District, of the Columbus City Codes, 1959, insofar as said Section prohibits the construction of a 7-Eleven Store in a C-5, Commercial District lacking minimum 120 feet lot width at the front building line, and therefore prevents Tremarco Corporation from establishing said 7-Eleven Store on a lot located at 900 East Weber Road in compliance with the law, subject, however, to the additional conditions listed in this ordinance.

**Section 2.** That this ordinance is conditioned upon and shall be in effect only for so long as said property is developed in accordance with all other requirements of the Zoning Code.

**Section 3.** That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed February 2, 1976.

M. D. PORTMAN,  
President of Council.

Approved February 2, 1976.

TOM MOODY, Mayor.

Attest:  
HELEN M. VAN HEYDE, City Clerk.

**Section 1.** That Tremarco Corporation, the property owner of 900 East Weber Road, Columbus, Ohio, their heirs, representatives, successors and assigns, and being more particularly described as follows:

Being a 0.3 acre tract located on the southeast corner of Eakin Road and Harris Avenue, and being more particularly described as follows:

All that certain tract or parcel of land and premises hereinafter particularly described, situate, and lying and being in the City of Columbus, County of Franklin, State of Ohio.

Situate in the State of Ohio, County of Franklin and in the City of Columbus and being part of Reserve "A", Brookshire Park Addition, as said addition is numbered and delineated on the record plat of said Addition, of record in Plat Book 22, Page 67, Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

Beginning at a point at the intersection of the east line of Harris Avenue (50 feet wide) and the south line at Eakin Road (86 feet wide), same point also being in the west line of Reserve "A";

Thence, from said point of beginning, South 79° 12' East, a distance of 115.47 feet along the south line of Eakin Road to an iron pin;

Thence, South 15° 58' West parallel to the westerly line of Reserve "A" and the easterly line of Harris Avenue, a distance of 135.37 feet to an iron pin;

Thence, North 74° 02' West and at right angles to the easterly line of Harris Avenue and the westerly line of Reserve "A" a distance of 115.0 feet to an iron pin in the westerly line of Reserve "A" and in the easterly line of Harris Avenue;

Thence, North 15° 58' East along the westerly line of Reserve "A" and along the easterly line of Harris Avenue a distance of 125.0 feet to the point of beginning, containing 0.344 acres

be and hereby is granted a variance from the provisions of Section 3331.09, C-5, Commercial District of the Columbus City Codes, 1959, insofar as said Section prohibits the establishment of a 7-Eleven Store on a lot having less than the minimum required lot width at the front building line in a C-5, Commercial District and, therefore, prevents the Tremarco Corporation from establishing said business at 2801 Eakin Road in compliance with law, subject, however, to the additional condition as listed in this ordinance.

**Section 2.** That this ordinance is conditioned upon and shall be in effect only for so long as said property is developed for a 7-Eleven Store in conformance with all other requirements of the Zoning Code.

**Section 3.** That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed February 2, 1976.

M. D. PORTMAN,  
President of Council.

Approved February 2, 1976.

TOM MOODY, Mayor.

Attest:  
HELEN M. VAN HEYDE, City Clerk.

**ORD. No. 41-76**—To grant a variance from Section 3331.09, C-5, Commercial District of Columbus City Codes, 1959, to Tremarco Corporation, the property owner of 2801 Eakin Road, to permit the construction of a 7-Eleven Store.

Whereas, 2801 Eakin Road is located in a C-5, Commercial District; and,

Whereas, the lot width at the front building line is 115', 5' less than the C-5, Commercial District's required minimum 120'; and,

Whereas, Section 3331.09 prohibits the construction of a 7-Eleven Store in violation of the minimum lot width at the front building line, thereby preventing Tremarco Corporation from establishing said business at 2801 Eakin Road in compliance with law; now, therefore,

Be it ordained by the Council of the City of Columbus:

**Section 1.** That Tremarco Corporation, the property owner of 2801 Eakin Road, Columbus, Ohio, their heirs, representatives, successors and assigns, and being more particularly described as follows:

Being a 0.3 acre tract located on the southeast corner of Eakin Road and Harris Avenue, and being more particularly described as follows:

ris Avenue, and being more particularly described as follows:

All that certain tract or parcel of land and premises hereinafter particularly described, situate, and lying and being in the City of Columbus, County of Franklin, State of Ohio.

Situate in the State of Ohio, County of Franklin and in the City of Columbus and being part of Reserve "A", Brookshire Park Addition, as said addition is numbered and delineated on the record plat of said Addition, of record in Plat Book 22, Page 67, Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

Beginning at a point at the intersection of the east line of Harris Avenue (50 feet wide) and the south line at Eakin Road (86 feet wide), same point also being in the west line of Reserve "A";

Thence, from said point of beginning, South 79° 12' East, a distance of 115.47 feet along the south line of Eakin Road to an iron pin;

Thence, South 15° 58' West parallel to the westerly line of Reserve "A" and the easterly line of Harris Avenue, a distance of 135.37 feet to an iron pin;

Thence, North 74° 02' West and at right angles to the easterly line of Harris Avenue and the westerly line of Reserve "A" a distance of 115.0 feet to an iron pin in the westerly line of Reserve "A" and in the easterly line of Harris Avenue;

Thence, North 15° 58' East along the westerly line of Reserve "A" and along the easterly line of Harris Avenue a distance of 125.0 feet to the point of beginning, containing 0.344 acres

be and hereby is granted a variance from the provisions of Section 3331.09, C-5, Commercial District of the Columbus City Codes, 1959, insofar as said Section prohibits the establishment of a 7-Eleven Store on a lot having less than the minimum required lot width at the front building line in a C-5, Commercial District and, therefore, prevents the Tremarco Corporation from establishing said business at 2801 Eakin Road in compliance with law, subject, however, to the additional condition as listed in this ordinance.

**Section 2.** That this ordinance is conditioned upon and shall be in effect only for so long as said property is developed for a 7-Eleven Store in conformance with all other requirements of the Zoning Code.

**Section 3.** That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed February 2, 1976.

M. D. PORTMAN,  
President of Council.

Approved February 2, 1976.

TOM MOODY, Mayor.

Attest:  
HELEN M. VAN HEYDE, City Clerk.

**ORD. No. 117-76**—To vacate certain streets and easements as dedicated by acceptance of plats for Strawberry Farms Section No. 1 and Strawberry Farms Section No. 2, subject to the acceptance of new plat.

Whereas, certain streets and easements were dedicated by acceptance of the plats for Strawberry Farms Section No. 1 and Strawberry Farms Section No. 2, and

Whereas, the owners of all abutting lots and lands have petitioned for the vacation of the streets and easements, new streets and easements to be dedicated by acceptance of new plat, and

Whereas, Council, upon hearing, is satisfied that there is good cause for the vacations and release of easements, that they will not be detrimental to the general interests and ought to be made; now, therefore,

Be it ordained by the Council of the City of Columbus:

**Section 1.** That, upon acceptance of the plat for Strawberry Farms, including a Resubdivision of part of Strawberry Farms Section No. 1 and part of Strawberry Farms Section No. 2,

Picket Post Lane  
Lockhart Lane  
Willow Hollow Drive  
and Easements  
in Strawberry Farms Section No. 1 (of record in Plat Book 49, Pages 23 and 24); and

Strawberry Farms Boulevard  
Willow Hollow Drive  
Rosebud Court  
Thrashing Court  
Blueberry Lane

*Handwritten notes:*  
M-174-172  
M-174-88  
M-174-01

**ORD. No. 117-76**—To vacate certain streets and easements as dedicated by acceptance of plats for Strawberry Farms Section No. 1 and Strawberry Farms Section No. 2, subject to the acceptance of new plat.

Whereas, certain streets and easements were dedicated by acceptance of the plats for Strawberry Farms Section No. 1 and Strawberry Farms Section No. 2, and

Whereas, the owners of all abutting lots and lands have petitioned for the vacation of the streets and easements, new streets and easements to be dedicated by acceptance of new plat, and

Whereas, Council, upon hearing, is satisfied that there is good cause for the vacations and release of easements, that they will not be detrimental to the general interests and ought to be made; now, therefore,

Be it ordained by the Council of the City of Columbus:

**Section 1.** That, upon acceptance of the plat for Strawberry Farms, including a Resubdivision of part of Strawberry Farms Section No. 1 and part of Strawberry Farms Section No. 2,

Picket Post Lane  
Lockhart Lane  
Willow Hollow Drive  
and Easements  
in Strawberry Farms Section No. 1 (of record in Plat Book 49, Pages 23 and 24); and

Strawberry Farms Boulevard  
Willow Hollow Drive  
Rosebud Court  
Thrashing Court  
Blueberry Lane

Briar Court  
Spring Flower Court  
and Easements  
in Strawberry Farms Section No. 2 (of record in Plat Book 49, Pages 71 and 72), be and the same are hereby vacated and released.

Section 2. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.  
Passed February 2, 1976.

M. D. PORTMAN,  
President of Council.  
Approved February 2, 1976.

TOM MOODY, Mayor.  
Attest:  
HELEN M. VAN HEYDE, City Clerk.

ORD. No. 118-76—That subject to the vacation of certain streets and easements as dedicated by acceptance of plats for Strawberry Farms Sections Nos. 1 and 2, the plat for Strawberry Farms, including a Resubdivision of Part of Strawberry Farms Section No. 1 and Part of Strawberry Farms Section No. 2 be and the same is hereby accepted.  
Be it ordained by the Council of the City of Columbus:

Section 1. That subject to the vacation of certain streets and easements as dedicated by acceptance of plats for Strawberry Farms Section No. 1 and Strawberry Farms Section No. 2, the plat for Strawberry Farms, including a Resubdivision of Part of Strawberry Farms Section No. 1, and Part of Strawberry Farms Section No. 2, on file in the Office of the City Engineer, Division of Engineering and Construction, situated in the State of Ohio, County of Franklin, City of Columbus, being in Section 3, Township 2, Range 17, United States Military Lands, containing 25.943 acres of land, more or less, and being part of that original 31.601 acre tract (Tract 1) of record in Deed Book 3321, Page 152, that original 1.818 acre tract (Part 2) of record in Deed Book 3321, Page 152, that original 12.929 acre tract (Parcel 1) of record in Deed Book 3420, Page 100, that original 4.690 acre tract (Parcel 2) of record in Deed Book 3349, Page 645, and that original 13.060 acre tract (Parcel One) of record in Deed Book 3480, Page 472, all being conveyed to Concept Communities, also being all of Lots Nos. 1 through 32, inclusive, and part of the Common Area of Strawberry Farms Section No. 1 as shown of record in Plat Book 49, Pages 23 and 24, and part of Lots Nos. 35, 36, 37, 47, 48 and 49 and part of the Common Area of Strawberry Farms Section No. 2 as shown of record in Plat Book 49, Pages 71 and 72, also including Picket Post Lane and Lockhart Lane as shown of record in Plat Book 49, Pages 23 and 24 and as vacated by Ordinance No. 117-76, all of the above references being to the records of the Recorder's Office, Franklin County, Ohio, and lying south of the south line of 161 and west of I-270, be and the same is hereby accepted.

Section 2. That all or parts of the courts, road and lane shown thereon and not heretofore dedicated, be and the same are hereby dedicated to public use as such, when the plat is recorded; and easements are reserved, where indicated on the plat, for the construction, operation and maintenance of all public and private utilities, above and beneath the ground and, where necessary, are for the construction, operation and maintenance of service connections to all adjacent lots and lands and for storm water drainage.

Section 3. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.  
Passed February 2, 1976.

M. D. PORTMAN,  
President of Council.  
Approved February 2, 1976.

TOM MOODY, Mayor.  
Attest:  
HELEN M. VAN HEYDE, City Clerk.

ORD. No. 119-76—To accept the Deed of Easement from Morse Road, Ltd., dated December 9, 1975; to dedicate premises therein conveyed to public use for roadway purposes; and to name same Morse Road.

Be it ordained by the Council of the City of Columbus:

Section 1. That the Deed of Easement, from Morse Road, Ltd., dated December 9, 1975, for the hereinafter described real estate be and the same is hereby ac-

cepted and the premises so deed be and the same are hereby dedicated to public use for roadway purposes:

Situated in the State of Ohio, County of Franklin, Township of Millfin, and the City of Columbus, being in Range 17, Township 1, Quarter Township 2, U.S.M. Lands and being part of an 8.38 acre tract, conveyed to Morse Road, Ltd. by deed of record in Deed Book 3388, Page 309, Recorder's Office, Franklin County, Ohio,

being a strip of land 60 feet in width in said 8.38 acre tract, being more particularly described as follows:

Beginning at a point in the centerline of Morse Road, at a northeasterly corner of said 8.38 acre tract, and at the northwesterly corner of the Hudson Oil Company of Delaware, Inc., tract (Deed Book 2998, Page 264);

Thence north 86 degrees, 38 minutes, 28 seconds west, passing along the northerly property line of said tract and along the centerline of Morse Road, a distance of 100.00 feet to a point and the true point of beginning for the following described parcel of land;

Thence, south 3 degrees, 38 minutes, 29 seconds west, along the westerly line of said Automotive Distributors, Inc. tract, a distance of 60 feet to a point;

Thence, north 86 degrees, 38 minutes, 21 seconds west, a distance of 401.15 feet to a point in the Grantor's west property line;

Thence, north 86 degrees, 38 minutes, 21 seconds west, a distance of 401.15 feet to a point in the Grantor's west property line;

Thence, north 3 degrees, 38 minutes, 28 seconds east, along the Grantor's west property line and parallel to the Grantor's easterly property line a distance of 60 feet to a point in the centerline of Morse Road;

Thence, south 86 degrees, 38 minutes, 21 seconds east, along the centerline of Morse Road a distance of 401.15 feet to the place of beginning, containing 0.553 acres.

Section 2. That the premises so deeded and dedicated be and the same are hereby named Morse Road.

Section 3. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.  
Passed February 2, 1976.

M. D. PORTMAN,  
President of Council.  
Approved February 2, 1976.

TOM MOODY, Mayor.  
Attest:  
HELEN M. VAN HEYDE, City Clerk.

ORD. No. 120-76—To accept the plat of Resubdivision of Lot 5 of Helen Development Subdivision No. 1.

Be it ordained by the Council of the City of Columbus:

Section 1. That the plat of Resubdivision of Lot 5 of Helen Development Subdivision No. 1, on file in the Office of the City Engineer, Division of Engineering and Construction, situated in the State of Ohio, County of Franklin, City of Columbus, being in Section 29, Township 12 North, Range 21 West, Refugee Lands and containing 3.194 acres of land, more or less, being all of Lot 5 as the same is shown on the recorded plat of Helen Development Subdivision No. 1, of record in Plat Book 45, Page 118, said 3.194 acres being part of that original 38.045 acre tract of land as described in a deed to Helen Development, Inc., of record in Deed Book 2587, Page 584, Recorder's Office, Franklin County, Ohio; said Helen Development, Inc. and Walnut Builders, Inc., merged on the 31st day of August, 1971, the successor being Walnut Builders, Inc., as the same is described in a certificate of merger, of record on Roll B 778 of Frame 1444, of the Records of Incorporation and Miscellaneous Filings, of record in the Office of the Secretary of the State of Ohio, in Columbus, Ohio, and lying east of Weyburn Road and north of Refugee Road, be and the same is hereby accepted.

Section 2. That easements shown thereon are reserved where indicated on the plat for the construction, operation and maintenance of all public and private utilities, above and beneath the surface of the ground and, where necessary, are for the construction, operation and maintenance of service connections to all adjacent lots and lands and for storm water drainage.

Section 3. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed February 2, 1976.

M. D. PORTMAN,  
President of Council.  
Approved February 2, 1976.

TOM MOODY, Mayor.  
Attest:  
HELEN M. VAN HEYDE, City Clerk.

ORD. No. 130-76—To authorize and direct the Director of Public Safety to enter into an agreement with Tom O. Maish for the lease of two premises on Short Street, to appropriate the sum of \$1,440.00 to pay the cost thereof. (\$1,440.00)

Whereas, Tom O. Maish has previously contracted with the City and is desirous of entering into a further agreement with the City for the lease of two premises on Short Street, City of Columbus, County of Franklin and State of Ohio; and

Whereas, in the usual daily operation of the Division of Traffic Engineering and Parking, Department of Public Safety, in that it is immediately necessary to enter into a lease agreement with Tom O. Maish without delay for the preservation of the public peace, property, safety and welfare; now, therefore,

Be it ordained by the Council of the City of Columbus:

Section 1. That the Director of Public Safety be and he is hereby authorized and directed to enter into an agreement with Tom O. Maish, 2351 Oxford Road, Columbus, Ohio for the lease of two lots for a twelve (12) month period commencing January 1, 1976 at a monthly rate of \$60.00 per month per lot to be paid commencing January 1, 1976, and more particularly described as follows:

Beginning at a point at the southwest corner of the intersection of the first alley south of Fulton Street, thence extending in a southerly direction 131.50 feet to a point, thence westerly 129.63 feet to a point, thence northwardly 120 feet to a point, thence eastwardly 89.36 feet to the point of beginning; and, together with the appurtenances thereto, and,

Beginning at the southeast corner of the intersection of the first alley south of Fulton Street and the first alley west of Short Street, thence extending in a southerly direction 120 feet to a point, thence eastwardly 95 feet to a point, thence northwardly 120 feet to a point, and thence 95 feet in a westerly direction to the point of beginning; and, together with the appurtenances thereto and,

Section 2. That the sum of \$1,440.00 be and the same is hereby appropriated from Fund No. 0265, Street Maintenance and Repair, Department No. 680, Traffic Engineering and Parking, Major Code 300 to pay the cost thereof.

Section 3. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.  
Passed February 2, 1976.

M. D. PORTMAN,  
President of Council.  
Approved February 2, 1976.

TOM MOODY, Mayor.  
Attest:  
HELEN M. VAN HEYDE, City Clerk.

ORD. No. 153-76—To grant a variance from the provisions of Section 3323.05 (SR, Suburban Residential District), Columbus City Codes, 1959, to Phillip R. Martin, 3693 Westerville Road, to permit the establishment of a commercial trout stream and club on his property at 3963 Westerville Road.

Whereas, 3963 Westerville Road is located in an SR, Suburban Residential District; and

Whereas, Phillip R. Martin desires to establish a commercial trout stream and club; and

Whereas, Section 3323.05 (SR) of the Columbus City Codes, 1959, prevents the establishment of a commercial trout stream and club in the SR, Suburban Residential District, and thereby prevents Phillip R. Martin from establishing a commercial trout stream and club, now, therefore

Be it ordained by the Council of the City of Columbus:

Section 1. That a variance from Section 3323.05 (SR), Columbus City Codes, 1959, be granted to Phillip R. Martin, his heirs, representatives, successors and assigns, insofar as said section prohibits him from establishing a commercial trout stream and club on his premises, known as 3963 Westerville Road, Columbus, Ohio,

Being located in Section 2, Township 1, Range 17, United States Military lands,