

Ordinances Passed

ORD. No. 1190-86 (CV86-037)—To grant a Variance from the provisions of Section 3335.02, C-4 Commercial District for the property located at 2075 Smokyview Boulevard to permit the self-service dispensing of gasoline as an accessory use.

Whereas, the owner of property at 2075 Smokyview Boulevard is requesting a Council Variance to permit the self-service dispensing of gasoline as an accessory use, and

Whereas, Section 3335.02, C-4 Commercial District prohibits said use at this location, 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 2075 Smokyview Boulevard 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 Section 3335.02, C-4 Commercial District, of the Columbus City Codes is hereby granted for the property located at 2075 Smokyview Boulevard insofar as said section prohibits the self-service dispensing of gasoline as an accessory use said property being more particularly described as follows:

Situated in the State of Ohio, County of Franklin, City of Columbus, in Lots Nos. 35 and 36 in Flavel Tuller's Survey of Quarter Township 1, Township 2 North, Range 10 West, United States Military Lands, as shown of record in Plat Book 3, Page 60, Recorder's Office, Franklin County, Ohio, and being a portion of Reserve "A" in Smoky Ridge Estates Section Three, as shown of record in Plat Book 53, Pages 16 and 17, Recorder's Office, Franklin County, Ohio, and being a portion of a 2.192 acre tract of land conveyed out of said Reserve "A" to M. and C. Properties by deed of record in Official Record 4978, Page E 16, Recorder's Office, Franklin County, Ohio, and bounded and described as follows:

Beginning, for reference, at a point at the intersection of the centerline of Smokyview Boulevard (60 feet wide) with the centerline of Smoky Row Road (80 feet wide):

thence S 12 degrees 16' 54" E along the centerline of Smoky Row Road a distance of 201.28 feet to a point;

thence S 77 degrees 43' 06" W perpendicular to the centerline of Smoky Row Road, in the east line of said Reserve "A", at a southeast corner of said 2.192 acre tract, at the northeast corner of a 1.039 acre tract of land conveyed out of said Reserve "A" to C. and M. Properties by deed of record in Official Record 4978, Page F 01, Recorder's Office, Franklin County, Ohio, and at the true place of beginning of the tract herein intended to be described;

thence continuing S 77 degrees 43' 06" W perpendicular to the west line of Smoky Row Road, perpendicular to the east line of said Reserve "A", along a south line of said 2.192 acre tract and along the north line of said 1.039 acre tract a distance of 182.00 feet to a point at a corner of said 2.192 acre tract and at the northwest corner of said 1.039 acre tract;

thence N 12 degrees 16' 54" W parallel with and 182.00 feet westerly by perpendicular measurement from the west line of Smoky Row Road, from the east line of said Reserve "A" and from an east line of said 2.192 acre tract and crossing said 2.192 acre tract a distance of 171.28 feet to a point in a south line

of Smoky View Boulevard, in a north line of said Reserve "A" and in a north line of said 2.192 acre tract;

thence N 77 degrees 43' 06" E along a south line of Smoky View Boulevard, along a portion of a north line of said Reserve "A" and along a portion of a north line of said 2.192 acre tract a distance of 162.00 feet to a 3/4-inch I.D. iron pipe found at a point of curvature;

thence southeasterly along the curved northeast line of said Reserve "A", along the curved northeast line of said 2.192 acre tract and with a curve to the right connecting the south line of Smoky View Boulevard with the west line of Smoky Row Road, data of said curve being: radius = 20.00 feet and delta = 90 degrees 00' 00", a chord distance of 28.28 feet bearing S 57 degrees 16' 54" E to a 3/4-inch I.D. iron pipe found in the west line of Smoky Row Road and at the point of tangency;

thence S 12 degrees 16' 54" E along the west line of Smoky Row Road, along a portion of the east line of said Reserve "A" and along an east line of said 2.192 acre tract a distance of 151.28 feet to the true place of beginning containing 0.714 acre of land more or less.

Section 2. That this ordinance is conditioned upon and shall remain in effect only for so long as said property is used for the self-service dispensing of gasoline and or those uses permitted in the C-4 Commercial District.

Section 3. That this ordinance is further conditioned in that the development of the site as a convenience food store with self-service dispensing of gasoline meets the applicable development standards of the Zoning Code and the Traffic Engineering Division.

Section 4. That the variance granted by this ordinance shall become void one (1) year after this ordinance becomes effective by law unless prior thereto an affirmative act of the applicant has commenced which makes use of said Council Variance.

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

The following:

1. The building to be constructed on the premises shall be constructed with brick on the north, south, and east walls, and decorative block on the west wall.

2. A concrete sidewalk shall be constructed on the north property line, running from the driveway on Smoky View Boulevard to the west property line.

3. Landscaping shall be provided between Smoky View Boulevard and the north side of the building, as well as on the east property line.

4. The dumpster shall be enclosed on at least three sides by an enclosure at least seven feet in height.

5. The sign to be constructed on the property shall not exceed the height of the sign on the property located to the immediate south of the property and such sign shall be in compliance with the Columbus Sign Code and shall be internally illuminated.

6. The canopy to be constructed over the gasoline pumps shall be brown in color and shall not contain graphics.

7. The supports for the canopy shall be brown in color.

8. The lighting under the canopy shall not exceed eight units of four hundred watts each.

9. The property shall not contain more than two pump islands with two gas pumps on each island, with each gas pump having no more than two hoses.

10. The gas pumps shall be located in front of the southern portion of the building on the east side of the building.

Passed as amended June 2, 1986.

JERRY HAMMOND,

President of Council.

Approved as amended June 3, 1986.

GISELA B. ROSENBAUM,

Acting Mayor.

Attest:

FRANCINE C. RYAN, City Clerk.

ORD. No. 1252-86—To authorize the Board of Health to enter into an agreement with St. Stephens Community Services, Inc., for weed cutting and solid waste abatement services, to waive the provisions of Columbus City Code, Sections 329.05 and 329.14, Paragraphs (a) through (e) inclusive, and 329.06 relating to competitive bidding to authorize the expenditure of \$4,500 to pay the cost thereof, and to declare an emergency. (\$4,500)

Whereas, the Columbus Board of Health is responsible for the weed cutting and solid waste abatement program; and

Whereas, an emergency exists in the usual daily operation of the Columbus Health Department in that it is immediately necessary to contract for weed cutting and solid waste abatement services for the preservation of the public health, peace, property, safety and welfare; now, therefore,

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

Section 1. That the Board of Health is hereby authorized to enter into an agreement with St. Stephens Community Services, Inc. for the provision of weed cutting and solid waste abatement services from May 1, 1986 through December 31, 1986.

Section 2. That to pay the cost of said agreement, the expenditure of \$4,500 is hereby authorized from the Community Development Block Grant Fund, Subfund No. 09-048, Department of Health, Department No. 50-01, Project No. 048015, Character 03, Index 501080, Minor Object 354.

Section 3. That the provisions of Sections 329.05, 329.14, Paragraphs (a) through (e) inclusive, and 329.06 of the Columbus City Codes are hereby waived.

Section 4. 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 ten days after passage if the Mayor neither approves nor vetoes the same.

Passed June 2, 1986.

JERRY HAMMOND,

President of Council.

Approved June 3, 1986.

GISELA B. ROSENBAUM,

Acting Mayor.

Attest:

FRANCINE C. RYAN, City Clerk.

ORD. No. 1263-86—To vacate a 10 ft. strip of W. Northwood Avenue, 10 ft. south of and adjacent to the north line of W. Northwood Avenue, from the west line of N. High Street to the east line of the alley west of N. High Street and from the west line of said alley to the east line of Williams Street; and to declare an emergency.

Whereas, a request has been received by the Office of the City Engineer for the vacation of a 10 ft. strip of W. Northwood Avenue; and

Whereas, after investigation, it has been determined that this vacation will cause no adverse effects on surrounding properties, and therefore it should be granted; and

Whereas, there are no utility facilities within the area proposed to be vacated; and

Whereas, an emergency exists in the usual daily operation of the Department of Public Service, Division of Engineering and Construction, in that it is necessary to vacate this 10 ft. strip of W. Northwood Avenue, immediately, thereby preserving the public health, peace and safety; now, therefore,

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

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Section 1. That the 10 ft. strip of W. Northwood Avenue, 10 ft. south of and adjacent to the north line of W. Northwood Avenue, from the west line of N. High Street to the east line of the alley west of N. High Street and from the west line of said alley to the east line of Williams Street, be and the same is hereby vacated.

Section 2. 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 ten days after passage if the Mayor neither approves nor vetoes the same.

Passed June 2, 1986.

JERRY HAMMOND,

President of Council.

Approved June 3, 1986.

GISELA B. ROSENBAUM,

Acting Mayor.

Attest:

FRANCINE C. RYAN, City Clerk.

ORD. No. 1266-86 (CV86-036)—To grant a Variance from the provisions of Section 3337.01, R-2F Residential District for the property located at 1397 Hawthorn Avenue to permit the establishment of medical and clinical offices in an existing structure with six off-street parking spaces, and to declare an emergency.

Whereas, the owner of property at 1397 Hawthorn Avenue is requesting a Council Variance to permit the establishment of medical and clinical offices in an existing structure with six off-street parking spaces, and

Whereas, Section 3337.01, R-2F Residential District prohibits said use at this location, and

Whereas, said use would require nineteen (19) parking spaces if located in an appropriately zoned area, 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 1397 Hawthorn Avenue 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 Section 3337.01, R-2F Residential District, of the Columbus City Codes is hereby granted for the property located at 1397 Hawthorn Avenue insofar as said section prohibits medical and clinical offices in an existing structure with six off-street parking spaces said property being more particularly described as follows:

Situated in the State of Ohio, County of Franklin, City of Columbus and being Lots Number One Hundred Two (102) and One Hundred Three (103) of the Eastwood Heights Addition to the City of Columbus, Ohio, as the same are numbered and delineated upon the recorded plat thereof, of record in Plat Book No. 4, Page 109, Recorder's Office, Franklin County, Ohio.

Section 2. That this ordinance is conditioned upon and shall remain in effect only for so long as said property is used for medical and clinical offices in the existing structure with six off-street parking spaces and/or those uses permitted in the R-2F, Residential District.

Section 3. That the variance granted by this ordinance shall become void one (1) year after this ordinance becomes effective by law unless prior thereto an affirmative act of the applicant has commenced which makes use of said Council Variance.

Section 4. 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 ten days after passage if the Mayor neither approves nor vetoes the same.

Passed as amended June 2, 1986.

JERRY HAMMOND,

President of Council.

Approved as amended June 3, 1986.

GISELA B. ROSENBAUM,

Acting Mayor.

Attest:

FRANCINE C. RYAN, City Clerk.

ORD. No. 1267-86 (Z86-014)—To rezone 4.83 (approximate) acres located on the west side of Karl Road 473' north of Cooke Road (396' Karl Road). From: R, Rural (annexation pending). To: I, Institutional, as recommended by the Development Commission, and to declare an emergency.

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

Section 1. That the Zoning Map attached to Ordinance No. 1620-77, passed September 19, 1977, and as subsequently amended be, and the same is hereby revised by changing the zoning of the property as follows:

4.83 (approximate) acres located on the west side of Karl Road 473' north of Cooke Road (396' Karl Road) and being more particularly described as follows:

Being situated in the Township of Clinton, County of Franklin, State of Ohio, and being a part of Township No. 1, Range No. 18, U.S. Military lands and being the acres of Parcel No. 13 of Pegg Farm parcels that isn't in the existing corp. of the City of Columbus as said parcel is recorded in Misc. Record Vol. 42, Pg. 302 in the Office of the Recorder of Franklin County, Ohio and being bounded and more fully described as follows:

Beginning at a point in the westerly line of existing City of Columbus Corp. Line as established by Ord. No. 121-55, Vol. 86, Pg. 278 and on the northerly line of Parcel No. 13 and being also 25 feet westerly from the centerline of Karl Road:

Thence South 03 degrees 58' East along said corp. line and 25 feet West of the centerline of Karl Road a distance of 208 feet to a point in the southerly line of Parcel No. 13;

Thence North 85 degrees 59' West along the Southerly line of Parcel 13 and a new proposed Corp. line a distance of 1021 feet to a point at the southwest corner of Parcel No. 13;

Thence North 03 degrees 54' 44" West a distance of 207.97 feet to a point at the northwest corner of Parcel No. 13 and a corner of the existing City of Columbus Corp. line as established by Ord. 1340-55, Vol. 90, Pg. 559;

Thence South 85 degrees 59' East a distance of 1,020.8 feet for a proposed new Corp. line and the northerly line of Parcel No. 13 and the place of beginning containing 4.826 acres more or less.

To Rezone From: R, Rural District,

To: I, Institutional District.

Section 2. That the Regulation Administrator of the Development Regulation Division be, and he is hereby authorized and directed to make the said change on the said original zoning map in the office of the Development Regulation Division.

Section 3. 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 ten days after passage if the Mayor neither approves nor vetoes the same.

Passed as amended June 2, 1986.

JERRY HAMMOND,

President of Council.

Approved as amended June 3, 1986.

GISELA B. ROSENBAUM,

Acting Mayor.

Attest:

FRANCINE C. RYAN, City Clerk.

ORD. No. 1268-86 (Z86-010)—To rezone 0.91 (approximate) acre located on the east side of Gettysburg Road approximately 326' north of Henderson Road (4900 Gettysburg Road), From: AR-1, Apartment Residential, To: C-2, Commercial, as recommended by the Development Commission.

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

Section 1. That the Zoning Map attached to Ordinance No. 1620-77, passed September 19, 1977, and as subsequently amended be, and the same is hereby revised by changing the zoning of the property as follows:

Being 0.91 (approximate) acre located on the east side of Gettysburg Road approximately 326' north of Henderson Road (4900 Gettysburg Road), and being more particularly described as follows:

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

Being 0.913 Acres of land out of a 4.281 Acre Tract conveyed to Northcrest Co. in Deed Book 2880, page 304, Franklin County Recorder's Office, and being more particularly described as follows:

Beginning at the southwest corner of said 4.281 Acre Tract, being on the southeasterly line of Gettysburg Road; thence with said line of Gettysburg Road North 27 degrees 29' 20" East 236.89 feet to a point; thence leaving said southeasterly line of Gettysburg Road, and with a line parallel to the south line of said 4.281 acre tract: South 86 degrees 42' 36" East 135.58 feet to a point; thence with a line parallel to an east line of said 4.281 acre tract: South 03 degrees 17' 24" West 216.08 feet to a point in the south line of said 4.281 Acre Tract; thence with said south line: North 86 degrees 42' 36" West 232.69 feet to the point of beginning, containing 0.913 Acres of Land, more or less.

To Rezone From: AR-1, Apartment Residential District,

To: C-2, Commercial District.

Section 2. That a Height District of Thirty-five (35) feet is hereby established on the C-2, Commercial District on this property, and no building or structure shall be erected to a height in excess of Thirty-five (35) feet.

Section 3. That the Regulation Administrator of the Development Regulation Division be, and he is hereby authorized and directed to make the said change on the said original zoning map in the office of the Development Regulation Division.

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

Passed June 2, 1986.

JERRY HAMMOND,

President of Council.

Approved June 3, 1986.

GISELA B. ROSENBAUM,

Acting Mayor.

Attest:

FRANCINE C. RYAN, City Clerk.

ORD. No. 1269-86 (Z86-013)—To rezone 3.11 approximate acres located at the northwest corner of Ambleside Drive and East Dublin-Granville Road (1294 East Dublin-Granville Road), From: SR, Suburban Residential, To: L-C-3, Limited C-3, Commercial, as recommended by the Development Commission, and to declare an emergency.

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

Section 1. That the Zoning Map attached to Ordinance No. 1620-77, passed September 19, 1977, and as subsequently amended be, and the same is hereby revised by changing the zoning of the property as follows:

Being 3.11 approximate acres located at the northwest corner of Ambleside Drive and Dublin-Granville Road and being more particularly described as follows:

Being located in the State of Ohio, County of Franklin, City of Columbus, Section 4, Township 2, Range 18, United States Military Lands, being a part of the land conveyed to Christ The King Lutheran Church in Deed Volume 2681 Page 130 in the Office of the Recorder, Franklin County, Ohio, and more fully described as follows:

Beginning at a 3/4" I.D. pipe set on the North right-of-way of State Route 161, 105.00 feet left of Centerline Station 620 + 86.24 (ODOT FRA - 161 - 11.57 Sheet 10 of 31);

Thence North 86 degrees 48' 53" West 386.24 feet, along the north right-of-way of said State Route 161, to a 3/4" I.D. pipe set at 105.00 feet left of Centerline Station 617 + 00.00;

Thence South 88 degrees 43' 53" West 193.15 feet, along the north right-of-way of