

May 22, 1976

Passed May 17, 1976.

M. D. PORTMAN,
President of Council.
Approved May 17, 1976.
TOM MOODY, Mayor.

Attest:
HELEN M. VAN HEYDE, City Clerk.

ORD. No. 772-76—To grant a variance from the provisions of Section 3235.005 (AR-LD, Apartment Residential-Low Density District) to the C.S.S. Company to permit the following: 1) To erect one (1) sign located on the east side of Kenny Road at Weybridge Road to advertise the "Spaghetti Factory", a proposed restaurant; 2) To permit use of a private drive for commercial vehicular traffic from Kenny Road to land zoned C-4 Commercial developed with the Fox and Hounds Apartment Lounge proposed to be remodeled for a spaghetti restaurant.

Whereas, 1075 Weybridge Road is located in a C-4, Commercial District and is developed as a lounge facility to serve the Fox and Hounds Apartment project; and,

Whereas, the C.S.S. Company proposes to remodel and commercially advertise the lounge as a spaghetti restaurant serving the general public; and,

Whereas, the Zoning Code requires commercial identification signs to be located on commercially zoned land and commercial vehicular access directly from a public street; and,

Whereas, the proposed commercial identification sign and commercial vehicular access will be located on land zoned in the AR-LD, Apartment Residential-Low Density District; and,

Whereas, Sections 3325.005 (AR-LD, Apartment Residential-Low Density District) of the Columbus City Code prevents commercial vehicular traffic and commercial identification signs in the AR-LD, Apartment Residential-Low Density District, and thereby prevents the C.S.S. Company from establishing the proposed spaghetti restaurant and identification sign in compliance with the City Code requirements; now, therefore,

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

Section 1. That the C.S.S. Company, the lessee of the proposed restaurant and commercial vehicular access drive, being more particularly described as follows:

Being situated in the State of Ohio, County of Franklin, City of Columbus, and being a part of Quarter Township I, Township I North, Range 13 West, United States Military Lands, and being a part of a 22.724 acre tract conveyed to Deffert-Fox and Hounds LTD, shown of record in Deed Book 3122, Page 24, Recorder's Office Franklin County, Ohio, and being more particularly described as follows:

Commencing at an iron pin found on the easterly line of Kenny Road at the southwesterly corner of said 22.724 acre tract, and the southeasterly corner of a 0.575 acre tract conveyed to the City of Columbus, Ohio, shown of record in Deed Book 3072, Page 507;

Thence, north along the easterly line of said Kenny Road (easterly line of said 0.575 acre tract), and along the westerly line parallel to and 40.00 feet easterly of line parallel to and 40.00 feet easterly of measured at right angles to the centerline of said Kenny Road, a distance of 364.76 feet to an iron pin at an angle in said line;

Thence, north 0° 15' 31" east, continuing along the easterly line of said Kenny Road (easterly line of said 0.575 acre tract), and along the westerly line of said 22.724 acre tract, and along a line parallel to and 40.00 feet easterly of measured at right angles to the centerline of said Kenny Road, a distance of 84.05 feet to an iron pin, and the true point of beginning of this description;

Thence, north 0° 15' 31" east, continuing along the easterly line of said Kenny Road (easterly line of said 0.575 acre tract), and along the westerly line of said 22.724 acre tract, and along a line parallel to and 40.00 feet westerly of measured at right angles to the centerline of said Kenny Road, a distance of 3.00 feet to an iron pin;

Thence, north 89° 59' 36" east along a line parallel to the southerly line of said 22.724 acre tract, a distance of 594.28 feet to a point on the westerly line of 0.875 acre tract (zoned C-4);

Thence, south 0° 00' 24" east along the westerly line of a 0.875 acre tract (zoned C-4), a distance of 3.00 feet to a point;

Thence, south 89° 59' 36" west, along a

line parallel to the southerly line of said 22.724 acre tract, a distance of 594.29 feet to the place of beginning, containing 0.0409 acres,

and hereby is granted a variance from the provisions of Sections 3325.005 (AR-LD, Apartment Residential-Low Density District) of the Columbus City Codes, 1959, insofar as said section prohibits the vehicular commercial traffic access to a business located in a C-4 Commercial District over land zoned Apartment Residential and the erection of a sign associated with the commercial use on land zoned Apartment Residential and therefore prevents the C.S.S. Company from establishing said spaghetti restaurant at 1075 Weybridge Road, 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: 1) Said property is leased and used by the C.S.S. Company for a spaghetti restaurant known as the Spaghetti Factory; 2) The sign associated with the commercial use conforms to the requirement of Section 3393.152 of the Zoning Code; 3) Any variance to Section 3393.152 shall be by the Graphics Commission; 4) The operation of the Business may be reviewed at any reasonable time by the Division of Planning.

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

Passed as amended May 17, 1976.
M. D. PORTMAN,
President of Council.

Approved as amended May 17, 1976.
TOM MOODY, Mayor.

Attest:
HELEN M. VAN HEYDE, City Clerk.

ORD. No. 809-76—To vacate the first alley west of Cleveland Avenue, from Strimple Avenue to Kilbourne Avenue.

Whereas, petition, signed by the owner of all lots and lands abutting upon the first alley west of Cleveland Avenue, from Strimple Avenue to Kilbourne Avenue, was duly presented to this Council, praying for and consenting to the vacation of said alley, between the points mentioned, and

Whereas, Council, upon hearing, is satisfied that there is good cause for such vacation as prayed for in said petition, that it 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 the first alley west of Cleveland Avenue, extending from the south line of Strimple Avenue to the north line of Kilbourne Avenue, be and the same is hereby vacated.

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

Passed May 17, 1976.
M. D. PORTMAN,
President of Council.

Approved May 17, 1976.
TOM MOODY, Mayor.

Attest:
HELEN M. VAN HEYDE, City Clerk.

ORD. No. 810-76—To vacate the alley east of Maize Road, from Lenore Avenue to the alley south of Lenore Avenue.

Whereas, petition, signed by the owners of all lots and lands abutting upon the alley east of Maize Road, from Lenore Avenue to the alley south of Lenore Avenue, was duly presented to this Council, praying for and consenting to the vacation of said alley, between the points named, and

Whereas, Council, upon hearing, is satisfied that there is good cause for such vacation as prayed for in said petition, that it 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 the alley east of Maize Road, from the south line of Lenore Avenue to the north line of the alley south of Lenore Avenue, be and the same is hereby vacated.

Section 2. That the City of Columbus reserves the right to operate and maintain any and all sewers, water lines and any other public utilities owned by the City, and that the right is reserved to operate and maintain any other public utilities, if any, now existing on or in said alley

hereby vacated, and shall have the right to enter thereon at any time for the purpose of replacing, operating and maintaining the same.

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

Passed May 17, 1976.
M. D. PORTMAN,
President of Council.

Approved May 17, 1976.
TOM MOODY, Mayor.

Attest:
HELEN M. VAN HEYDE, City Clerk.

ORD. No. 811-76—To vacate the alley east of Sixth Street (Chase Alley), from Chapel to State Streets.

Whereas, petition, signed by the owners of all lots and lands abutting upon the alley east of Sixth Street, from Chapel Street to State Street, was duly presented to this Council, praying for and consenting to the vacation of said alley, between the points named, and

Whereas, Council, upon hearing, is satisfied that there is good cause for such vacation as prayed for in said petition, that it 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 the alley east of Sixth Street (Chase Alley), extending from the north line of Chapel Street to the south line of State Street, be and the same is hereby vacated.

Section 2. That the City of Columbus reserves the right to operate and maintain any and all sewers, water lines and any other public utilities owned by the City, and that the right is reserved to operate and maintain any other public utilities, if any, now existing on or in said alley hereby vacated, and shall have the right to enter thereon at any time for the purpose of replacing, operating and maintaining the same.

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

Passed May 17, 1976.
M. D. PORTMAN,
President of Council.

Approved May 17, 1976.
TOM MOODY, Mayor.

Attest:
HELEN M. VAN HEYDE, City Clerk.

ORD. No. 812-76—To accept the warranty deed, dated September 11, 1972, from Twenty Fifteen West Fifth, Inc., to dedicate the premises therein conveyed to public use for roadway purposes; and to name same Reed Road.

Whereas, Ordinance No. 775-72, passed June 5, 1972, authorized the Director of Public Service to enter into an agreement with Twenty Fifteen West Fifth, Inc., to execute a deed to and accept deed from them, in connection with a land trade, and

Whereas, the warranty deed from the company, numbered 26919 and recorded in Volume 3276, Pages 595 and 596, Recorder's Office, Franklin County, Ohio, was never accepted; now, therefore,

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

Section 1. That the warranty deed, dated September 11, 1972, from Twenty Fifteen West Fifth, Inc., be and the same is hereby accepted and the following real estate be and the same is hereby dedicated to public use for roadway purposes:

Situated in the County of Franklin, in the State of Ohio, and in the City of Columbus, and bounded and described as follows:

Being part of Lot 3, Section 1, Township 1, Range 19, U. S. Military Lands and being a 40 foot wide strip of land along the east side of a 14.0 acre tract of land conveyed to Twenty Fifteen West Fifth, Inc., as the same is recorded in Deed Book 3085, Page 246, Franklin County Recorder's Office, said 40 foot wide strip of land being parallel with and adjacent to the centerline of Reed Road, the said 14.0 acre tract of land being more particularly bounded and described as follows:

Beginning at a point on the centerline of Reed Road, said point of beginning being South 2° 52' West 656.6 feet from the point of intersection of the centerline of Bethel Reed Road with the centerline of the centerline of Reed Road South 2° 52' West 334.74 feet to the southeast corner of said 14.0