

5. Screening of at least 75% opacity and at least 5 feet in height shall be maintained along the west property line and that part of the north property line which is adjacent to property now zoned in a residential classification. Such screening shall not be a chain-link fence with slats.

6. If the existing tree line along the west property line is removed, a new tree line will be planted and maintained along the west property line.

7. There will be no vehicular access to the alley along the west property line.

8. One of the buildings constructed on the property will either comply with the provisions of item 9 below or be of an architectural design substantially equivalent to that shown on the picture attached hereto as Exhibit A, except that the exterior will be of brick which satisfies the requirements for the brick in item 9 below.

9. Any other building on the property will be of a design which is architecturally compatible with commercial buildings in the Olentangy Village, and the exterior will be of brick which will be substantially the same color as the brick used in the exterior of the commercial buildings in the Olentangy Village, but it need not be painted.

10. Two islands shall be created in the parking area along the north side of the property, and at least one tree shall be planted in each such island. One island shall be created between the building on the northern portion of the property and the building on the southern portion of property in which one or more trees shall be planted. At least four trees shall be planted along the southern boundary of the property.

11. The requirements set forth in items 4, 5, 6 and 10 with respect to each part of the property need not be satisfied until such time as that part of the property is developed.

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

Passed May 20, 1985.

JERRY HAMMOND,

President of Council.

Approved May 22, 1985.

DANA G. RINEHART, Mayor.

Attest:

FRANCINE C. RYAN, City Clerk.

ORD. No. 927-85—To grant a Variance from the Provisions of Section 3337.02 (R-4, Residential District) to the City of Columbus to permit the continued use of the "Hare" building by various social service agencies at 2104 Tuller Street.

Whereas, the City of Columbus, is requesting a Council Variance to permit the continued use of the "Hare" building by various social service agencies at 2104 Tuller Street, and

Whereas, Section 3337.02 (R-4, Residential District) prohibits the continued use of the "Hare" building by various social service agencies at said location, and

Whereas, the site was zoned Apartment-Residential as a part of the original zoning in 1923, and remained in that status until 1979, and

Whereas, the "Hare" building on the site was built in 1935, as an orphanage, with the City of Columbus trustee of the development, and

Whereas, an orphanage was a conforming use for the site in 1935, and

Whereas, the building was leased to Big Brothers/Big Sisters in the early Nineteen Sixties by the City of Columbus as trustee of the Hare Estate, 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 difficulty encountered by the City of Columbus in using said property as desired; now, therefore,

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

Section 1. That the City of Columbus be, and is, hereby granted a variance from the provisions of Section 3337.02 (R-4, Residential District) of the Columbus City Codes, insofar as said section prohibits the continued use of the "Hare" building by various social service agencies at 2104 Tuller Street, said property being more particularly described as follows:

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

Being all of Lot No. Nineteen (19) except 17 feet off the north side. All of Lot No. Twenty (20). All of Lot Twenty-one (21) except 30 1/4 feet off the south side and making in all One Hundred Feet front on the east side of Tuller Street in Head's Waldeck Avenue Subdivision to the City of Columbus, as the same are designated and delineated on the plat thereof recorded in Plat Records of said County-Book 3, Page 398.

Known also as 2104 Tuller Street, Columbus, Ohio.

Section 2. That this ordinance is conditioned upon and shall remain in effect only for so long as said property is used by various social service agencies while the City of Columbus is trustee of the property at 2104 Tuller Street and or all of those uses allowed in an R-4 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 this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed May 20, 1985.

JERRY HAMMOND,

President of Council.

Approved May 22, 1985.

DANA G. RINEHART, Mayor.

Attest:

FRANCINE C. RYAN, City Clerk.

ORD. No. 928-85—To grant a variance from the provisions of Sections 3337.01 (R-2F, Residential District), 3337.14 (Minimum side yards), and 3337.13 (Maximum side yards) to Gary L. Helf to permit the establishment of a parking lot and the construction of a 30' by 40' garage with reductions in the minimum required side yards from five feet to three feet and in the required combined side yards from 9.3 feet to 6.7 feet at 238 Lear Street.

Whereas, Gary L. Helf is requesting a Council Variance to permit the establishment of a parking lot and the construction of a garage with reduction in the minimum required side yards from five feet to three feet and in the required combined side yards from 9.3 feet to 6.7 feet at 238 Lear Street, and

Whereas, Section 3337.01 (R-2F, Residential District) prohibits the establishment of a parking lot and the construction of a non-residential garage at said location, and

Whereas, Section 3337.14 (Minimum side yards) prohibits the reduction in the required minimum side yard from five feet to three feet at said location, and

Whereas, Section 3337.13 (Maximum side yards) prohibits the reduction in the required combined side yards from 9.3 feet to 6.7 feet at said location, and

Whereas, the German Village Area Commission has recommended that said variance be approved, 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 difficulty encountered by Gary L. Helf in using said property as desired; now therefore:

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

Section 1. That Gary L. Helf be, and is, hereby granted a variance from the provisions of Sections 3337.01 (R-2F, Residential District), 3337.14 (Minimum side yards), and 3337.13 (Maximum side yards) of the Columbus City Codes, insofar as said Sections prohibit the establishment of a parking lot and the construction of a garage with reductions in the minimum required side yards from five feet to three feet and in the required combined side yards from 9.3 feet to 6.7 feet at 238 Lear Street, said property being more particularly described as follows:

Situated in the County of Franklin, State of Ohio and being the east three-fifths of Lot Number Fifteen (15) of Abraham Stott's Subdivision, as the same is numbered and delineated upon the recorded Plat thereof, of record in DEED BOOK NO. 36, page 472, Recorder's Office, Franklin, County Ohio.

Excepting therefrom the following described part of said Lot 15, to-wit:

Being the North one-half (1/2) of the east three-fifths (E-3/5ths) of Lot Number Fifteen (15) of Abraham Stott's Subdivision as the same is numbered and delineated upon the recorded Plat thereof, of record in DEED BOOK NO. 36, page 472, Recorder's Office, Franklin County, Ohio.

Section 2. That this ordinance is conditioned upon and shall remain in effect only for so long as property is used for the construction of a garage, which shall not exceed 30 feet by 40 feet and for which the minimum side yard shall be maintained at three feet, and the establishment of a parking lot which shall be developed and screened in accordance with all applicable Code provisions, or for those uses permitted in an R-2F, Residential District. There shall be no outdoor storage of any equipment, materials, or supplies in connection with this use. Further, the above described garage and parking lot shall be constructed and/or improved in accordance with plans approved by the German Village Area Commission.

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

Passed May 20, 1985.

JERRY HAMMOND,

President of Council.

Approved May 22, 1985.

DANA G. RINEHART, Mayor.

Attest:

FRANCINE C. RYAN, City Clerk.

ORD. No. 932-85—To accept a Warranty Deed from Day Brothers Development Co., for real estate to be used for road right-of-way purposes and to name premises so deeded and dedicated Scioto Trail.

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

Section 1. That the Warranty Deed from Day Brothers Development Co., dated April 17, 1985, recorded in Official Records Volume 05599A05, 05599A06 and 05599A07, for real estate described in the attached deed, be and the same is hereby dedicated to public use for road right-of-way purposes.

Section 2. That the premises so deeded and dedicated be and the same is hereby named Scioto Trail.

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

Passed May 20, 1985.

JERRY HAMMOND,

President of Council.

Approved May 22, 1985.

DANA G. RINEHART, Mayor.

Attest:

FRANCINE C. RYAN, City Clerk.

ORD. No. 933-85—To establish the grades of streets in Schottensteins East Phase I, Ballymead At Dublin Section 3 Part 2 Phase 2, Olde Sawmill Section 13, Worthington Meadows Section 2, Crosswoods Center Sec-