



Legislation Details (With Text)

File #: ORD. 15-014 **Version:** 1 **Name:** Use Variance Groveport Canal Animal Hospital
Type: Ordinance **Status:** Adopted
File created: 3/9/2015 **In control:** City Council
On agenda: 4/27/2015 **Final action:** 4/27/2015

Title: AN ORDINANCE GRANTING A VARIANCE TO GROVEPORT CANAL ANIMAL HOSPITAL (DR. ALEC LAND AND DR. RONA SHAPIRO, APPLICANTS) AS TO THE PERMITTED USES IN THE ESTABLISHED ZONING DISTRICT FOR THE PROPERTY LOCATED AT 645 MAIN STREET, CURRENTLY ZONED COMMUNITY COMMERCIAL (CC) AND FURTHER GRANTING ANY NECESSARY AREA VARIANCES IN CONJUNCTION THEREWITH

Sponsors: Edward Dildine

Indexes:

Code sections:

Attachments: 1. 645 Main St - Application-Use Variance Exhibit A.pdf, 2. 645 Main St-Use Variance Exhibit B.pdf

Date	Ver.	Action By	Action	Result
4/27/2015	1	City Council	amend	Pass
4/27/2015	1	City Council	adopt as amended	Pass
4/27/2015	1	Public Hearing	read by title	
4/13/2015	1	City Council	read by title	
3/23/2015	1	City Council	referred	

AN ORDINANCE GRANTING A VARIANCE TO GROVEPORT CANAL ANIMAL HOSPITAL (DR. ALEC LAND AND DR. RONA SHAPIRO, APPLICANTS) AS TO THE PERMITTED USES IN THE ESTABLISHED ZONING DISTRICT FOR THE PROPERTY LOCATED AT 645 MAIN STREET, CURRENTLY ZONED COMMUNITY COMMERCIAL (CC) AND FURTHER GRANTING ANY NECESSARY AREA VARIANCES IN CONJUNCTION THEREWITH

WHEREAS, pursuant to Section 1137.03(a)(1) and (a) (2) of the City of Groveport Zoning Ordinance, Council may grant a variance to the permitted uses in an established zoning district for any parcel located in the City of Groveport.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GROVEPORT, FRANKLIN COUNTY, OHIO, A MAJORITY OF ITS MEMBERS CONCURRING:

Section 1: That applicants, are granted a variance as to the permitted uses for the property located at 645 Main Street, currently zoned CC, and as such, the proposed use to allow applicants to use the adjacent lot to expand the Groveport Canal Animal Hospital, an existing non-conforming use, is hereby permitted pursuant to Section 1137.03(a)(1) of the City of Groveport Zoning Ordinance provided all of the following conditions set forth and recommended by the Planning & Zoning Commission are satisfied:

1. The City of Groveport Council will need to grant permission for the foundation at the front of the proposed building, the awnings along Main Street, the swing of the storefront doors, and signage to protrude into the right-of-way along Main Street no more than four (4) feet.

2. The City of Groveport Council will need to grant permission to allow the dumpster and dumpster screening for the proposed addition to be located on the Municipal lot south of the proposed building.
3. The applicant shall obtain an approved lot combination creating one parcel from the five existing parcels showing lot lines consistent with the lot lines presented on the zoning application.
4. A separate fence permit shall be obtained by the property owner to the east for the section of fence/gate along Main Street.
5. The applicant is to provide written permission from the property owner to the east for the gravel “dog walking area” southeast of the proposed addition.
6. Full compliance with respect to all engineering requirements of the City of Groveport Engineering Department will have to be obtained through separate application.
7. Construction of building and site improvements and work in the right-of-way cannot begin until:
 - a) Engineering site plans are approved by the City Engineer and Administrator and building permits are issued by the Building Department and all appropriate permitting fees are paid.
 - b) Right-of-way permit is issued by City staff.
 - c) Surety is posted pursuant to City of Groveport Chapter 1191.14 for construction activities in easement and public rights-of-way and based on a construction estimate provided by the Owner’s architect engineer and approved by the City Engineer.
 - d) Agreements are in place for construction activities that encroach on properties owned by others.
8. Regarding the proposed occupation of the right-of-way by the presence of certain building foundations, doorways and awnings and other privately-owned elements of the project: the developer / owner shall enter into a right-of-way encroachment agreement with the City of Groveport.

Section 2: That applicant is further granted the following area variances: a variance to Section 1154.04 (c) is hereby approved to locate portions of the building to be closer / beyond a street right-of-way than the established building line; a variance to Section 1176.05 (a) (3) is hereby approved to negate the requirement for landscape buffers along the east and south property lines; a variance to Section 1176.05 (c) (1) is hereby approved to allow the dumpster screening to be reduced to five (5) feet instead of the required six (6) feet; a variance to Section 1176.05 (e) (2) (D) is hereby approved to allow two (2) foundation shrubs to be installed instead of the required ten (10) foundation shrubs and a variance to Section 1177.03 (a) is hereby approved to negate the requirement for on-site parking.

Section 3: That in granting these use and area variances, this Council has determined that said variances will not impair an adequate supply of light and air to the adjacent property, unreasonably increase the congestion of public streets, increase the danger of fires, endanger public safety, unreasonably diminish or impair established property values within the surrounding area, or in any other respect impair the public health, safety, comfort, morals or welfare of the inhabitants of the City of Groveport.

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

Lance Westcamp, Mayor

Ruthanne Sargus Ross, Clerk of Council

Approved as to form:

Kevin Shannon, Law Director