



## Legislation Text

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**File #:** ORD-0131-2003, **Version:** 3

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TO REZONE 2.301 ACRES AS SO, SUBURBAN OFFICE; FOR PROPERTY LOCATED AT 5175 MORSE ROAD; BRIAN KRING, LANDOWNER BY TIM MCCABE, AGENT APPLICANT.

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WHEREAS, application has been made by Tim McCabe to rezone 2.301+/- acres as SO, Suburban Office for property located at 5175 Morse Road; and

WHEREAS, current zoning on this property is ER-1, Estate Residential 1 as zoned when said property was annexed to the City; and

WHEREAS, Planning Commission held public hearing, said hearing held pursuant to notice and according to law and, as a result of such hearing and deliberations, on March 26, 2003 did not recommend this application for rezoning for approval; and

WHEREAS, pursuant to the requirements of Ordinance 98-96 which accepted the annexation of this property, and pursuant to the stipulation contained in the Court decision rendered in Franklin County Commons Please Court Case No. 93CVH08-6014, the right of way dedication is required at the time of rezoning and a deed has been received; and

WHEREAS, Tim McCabe submitted a request under the authority of Section 1133.04 of the Codified Ordinances for Council to consider this zoning in the form of an appeal; and

WHEREAS, Council held Public Hearing on June 2, 2003 in regular meeting, pursuant to notice and according to law;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GAHANNA, STATE OF OHIO:

Section 1. That the Official Zoning Map, adopted by Ordinance No. 198-96 on November 19, 1996, as amended, is hereby amended by zoning 2.301+/- acres, more or less, to SO, Suburban Office, said acreage more particularly described in EXHIBIT A attached hereto.

Section 2. That the Clerk of Council is hereby directed to amend and recertify the Official Zoning Map of the City of Gahanna, Ohio, to reflect the zoning contained in and approved by this ordinance.

Section 3. That a deed for the additional right of way required for the property at 5175 Morse Road has been recorded and is in the process of acceptance by the City.

Section 4. That this ordinance shall be in full force and effect after passage by this Council and 30 days after signature of approval by the Mayor.