

**CITY COUNCIL – ZONING COMMITTEE
STAFF REPORT
COUNCIL VARIANCE**

APPLICATION: CV25-043
Location: 1854 STELZER RD. (43219), being 14.00± acres located on the east side of Stelzer Road, at the terminus of Citygate Drive (191-000047 and four others; Northeast Area Commission).
Existing Zoning: R, Rural District.
Request: L-AR-1, Limited Apartment Residential District (H-35).
Proposed Use: Multi-unit residential development.
Applicant(s): Metro Development III LLC, c/o Elizabeth Seedorf, Atty.; 52 East Gay Street; Columbus, OH 43215.
Property Owner(s): Mifflin Township, *et al*; PO Box 307630; Gahanna, OH 43230.
Planner: Alyssa Saltzman; 614-645-9625; ADSaltzman@columbus.gov

BACKGROUND:

- The Applicant has received a recommendation of approval from Staff and from the Development Commission for a concurrent rezoning request (Z25-024) to the L-AR-1, Apartment Residential District. The applicant proposes a 264-unit apartment complex. Variances are necessary to reduce the required parking setback along the southeastern property line from 25 feet to five feet, reduce the building setback line from 60 feet to 25 feet, and increase the garage height from 15 feet to 16 feet. The concurrent rezoning request (Z25-024) commits to developing the site in accordance with the submitted site plan and building elevations.
- North of the site are single unit dwellings as well as undeveloped platted lots in the R-12, Urban Residential District of Mifflin Township. East of the site is undeveloped land in the R, Rural District of Mifflin Township. West of the site are single unit dwellings in the R, Rural District of Mifflin Township. Further west of the site is a proposed self-storage facility in the L-M, Limited Manufacturing District, and a proposed apartment complex in the AR-1, Apartment Residential District.
- The site is within the planning boundaries of the *Northeast Area Plan* (2007), which recommends “Office-Light Industrial” land uses at this location.
- The site is located within the boundaries of Northeast Area Commission whose recommendation is for approval.
- Staff recognizes that there are practical difficulties with the reduction in the building and parking setback, and garage height requirements included in the request.

CITY DEPARTMENTS’ RECOMMENDATION: Approval

The requested Council variance is consistent with similar reduced setbacks and increased garage heights for apartment complex developments to allow site design that places parking behind buildings and garage roof pitch that better compliments the apartment buildings’ design.

Council Variance Application

111 N Front Street, Columbus, Ohio 43215

Phone: 614-645-4522 • ZoningInfo@columbus.gov • www.columbus.gov/bzs

STATEMENT OF HARDSHIP

Columbus City Code Section 3307.10 - Variances by City Council.

City council may grant the following zoning variances:

- A.** Permit a variation in the yard, height or parking requirements of any district only in conjunction with a change in zoning or a use variance and only where there are unusual and practical difficulties in the carrying out of the zoning district provisions due to an irregular shape of lot, topography, or other conditions, providing such variance will not seriously affect any adjoining property or the general welfare.
- B.** Permit a use of the property not permitted by the zoning district established on the property if such use will not adversely affect the surrounding property or surrounding neighborhood and if council is satisfied that the granting of such variance will alleviate some hardship or difficulty which warrants a variance from the comprehensive plan.

Before authorizing any variance from the Zoning Code in a specific case, city council shall first determine that such variance 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 the 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.

In granting a variance pursuant to this section, council may impose such requirements and conditions regarding the location, character, duration, and other features of the variance proposal as council deems necessary to carry out the intent and purpose of this Zoning Code and to otherwise safeguard the public safety and welfare.

The following factors shall be used in determining whether the applicant has encountered practical difficulties in the use of the property. Respond to the following statements:

1. Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without a variance.

☒ Yes ☐ No

The subject site is being annexed to the City of Columbus. The proposed variances will allow the site to be developed for a multi-family apartment community that help meet the critical need for housing in Columbus' urban core.

2. Whether the variance is substantial.

☐ Yes ☒ No

The applicant is seeking to reduce the required setbacks by 35 feet along most of the Stelzer Road frontage as shown on the Site Plan. Additionally, the applicant is seeking to increase the garage building height by 1 foot and reduce the parking and building setbacks on the southeastern property line alone by 20 feet.

3. Whether the essential character of the neighborhood would be substantially altered or whether adjoining properties would suffer a substantial detriment as a result of the variance.

☐ Yes ☒ No

The requested setback variances and the increase of the garage building height by 1 foot will not substantially alter the essential character of the neighborhood which is residential on the east side of Stelzer Road. The adjoining properties will not suffer a substantial detriment because of the variance due to the landscaping that will occur in the perimeter yard between the buildings and the adjacent property lines. Specifically, the adjacent property bordering the southeastern property line is currently a vacant, densely wooded area. There would be no detriment to that property by reducing the parking and building setbacks along the southeastern property line.

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DEPARTMENT OF BUILDING
AND ZONING SERVICES

4. Whether the variance would adversely affect the delivery of governmental services (e.g., water, sewer, refuse service).

☒ Yes ☐ No

The grant of the above variances will not adversely affect the delivery of governmental services.

5. Whether the property owner purchased the property with knowledge of the zoning restriction.

☒ Yes ☐ No

The applicant is in contract to purchase the property for the development of a multi-family apartment community. The applicant is also in the process of annexing the property to the City of Columbus.

6. Whether the property owner's predicament feasibly can be obviated through some method other than a variance.

☐ Yes ☒ No

There is no other method available other than the requested variances.

7. Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance.

☒ Yes ☐ No

The requested setback variances and increase in garage building height by 1 foot is in keeping with the spirit and intent behind the zoning requirements and substantial justice will be done by the granting of these variances.

List all sections of Code to be varied and explain your reasoning as to why this request should be granted.

NOTE: It is the applicant's responsibility to identify all variances required for the project. If any necessary variances are not included, a new application (and applicable fees) will be required.

I have read the foregoing and believe my application for relief from the requirements of the Zoning Code contains the necessary hardship, will not adversely affect surrounding property owners, and will comply with the variance(s) requested as detailed below (use separate page if needed or desired):

See attached.

Signature of Applicant

Way Lead of on behalf of applicant

Date

9-10-25

STATEMENT OF HARDSHIP

Property Address: 1854, 1930, 1936, 1942, 1968 Stelzer Road, Columbus, OH 43219

Applicant: Metro Development III LLC

Application: CV25-043


The subject property consists of 14+/- acres (the “Site”) located at the eastside Stelzer Road. The property is currently being annexed to the City of Columbus. The site is surrounded by properties in Mifflin Township to the north, east and south and CPD to the west. The applicant proposes to rezone the Site to L-AR-1 to allow for the construction of a multi-family apartment community. So long as the site is developed as a multi-family apartment community, the site will be developed in accordance with the Site Plan attached as Appendix 1 (the “Site Plan”).

The applicant is requesting a variance from Section 3333.35(G) requiring a garage building height to be limited to 15 feet to increase the garage building height limit to 16 feet.

The applicant is requesting a variance from Section 3333.18 requiring a building line setback of 60 feet being one-half of the right-of-way width of Stelzer Road as shown on the Columbus Multimodal Thoroughfare Plan to allow for a building setback of 25 feet from the right of way of Stelzer after dedication per the Columbus Multimodal Thoroughfare Plan as shown on the Site Plan.

The applicant is requesting a variance from Section 3333.18 requiring a minimum 25 foot building setback to allow for a 5 foot building setback along the southeastern property line as shown on the Site Plan.

The applicant is requesting a variance from Section 3312.27 requiring a minimum 25 foot parking setback to allow for a 5 foot parking setback along the southeastern property line as shown on the Site Plan.



Elizabeth Seedorf, Esq.

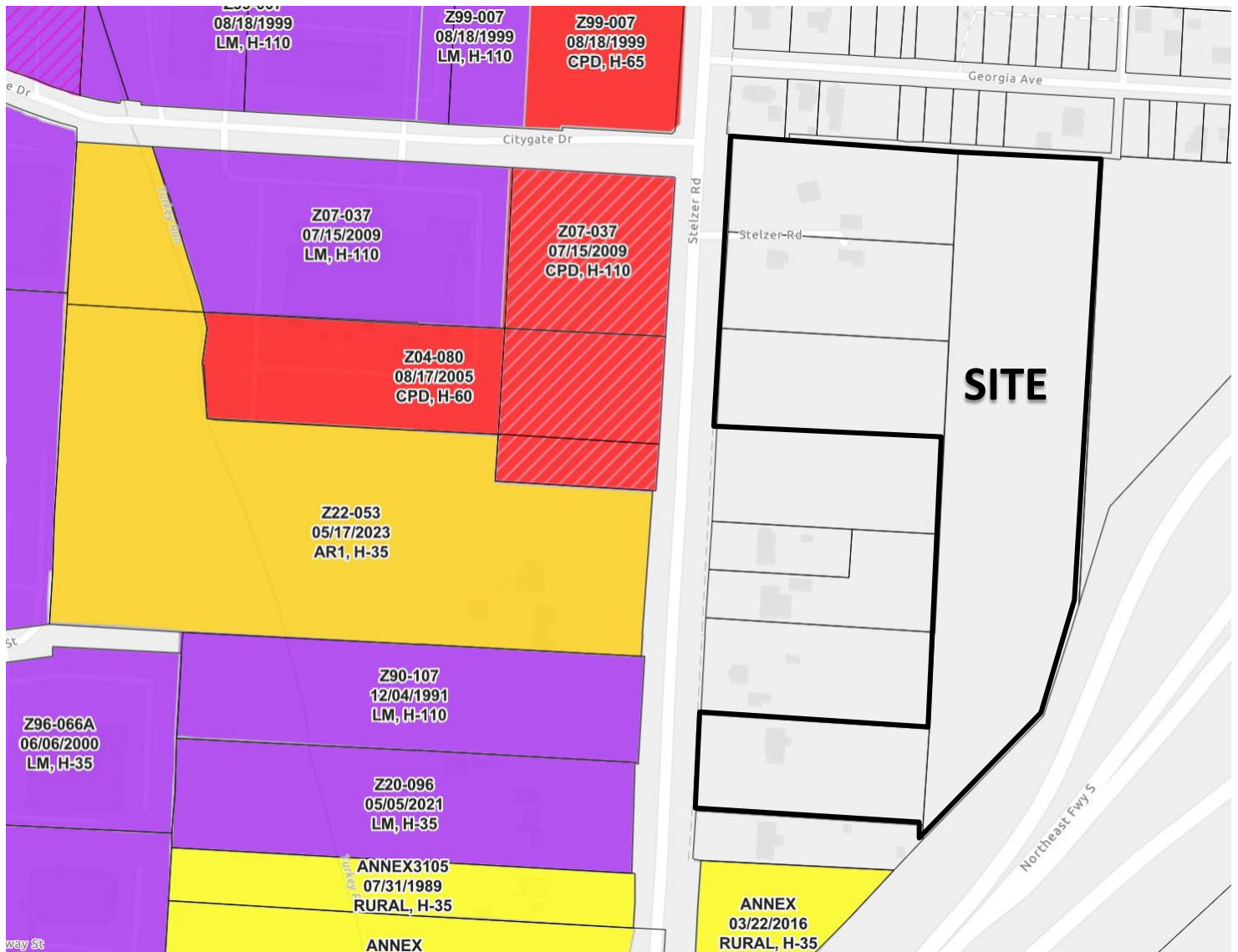
Vorys, Sater, Seymour and Pease LLP

52 East Gay Street

Columbus, Ohio 43215

Phone: 614-464-6363

Email: easeedorf@vorys.com



CV25-043
1854 Stelzer Rd.
Approximately 14.0 acres



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Approximately 14.0 acres

Standardized Recommendation Form

111 N Front Street, Columbus, Ohio 43215

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FOR USE BY: AREA COMMISSION / NEIGHBORHOOD GROUP
(PLEASE PRINT)

Case Number Z25-024 & CV25-043

Address 1854, 1930, 1936, 1942, 1968 STELZER RD

Group Name NORTHEAST AREA COMMISSION

Meeting Date June 12, 2025

Specify Case Type

☐ BZA Variance / Special Permit

☒ Council Variance

☒ Rezoning

☐ Graphics Variance / Plan / Special Permit

Recommendation ☒ Approval

(Check only one) ☐ Disapproval

LIST BASIS FOR RECOMMENDATION:

The commission has no objections and recommend approval.

Vote 6 yes, 0 no

Signature of Authorized Representative Commissioner Donna Moore

Recommending Group Title Northeast Area Commission

Daytime Phone Number 614-519-2195

Please e-mail this form to the assigned planner within 48 hours of meeting day; OR MAIL to: Zoning, City of Columbus, Department of Building & Zoning Services, 111 N Front Street, Columbus, Ohio 43215.

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PROJECT DISCLOSURE STATEMENT

APPLICATION #: CV25-043

Parties having a 5% or more interest in the project that is the subject of this application.

THIS PAGE MUST BE FILLED OUT COMPLETELY AND NOTARIZED. Do not indicate 'NONE' in the space provided.

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Elizabeth Seedorf, Esq.

of (COMPLETE ADDRESS) 52 East Gay Street, Columbus, Ohio 43215

deposes and states that they are the APPLICANT, AGENT, OR DULY AUTHORIZED ATTORNEY FOR SAME and the following is a list of all persons, other partnerships, corporations or entities having a 5% or more interest in the project which is the subject of this application in the following format:

For Example: Name of Business or individual
 Contact name and number
 Business or individual's address; City, State, Zip Code
 Number of Columbus-based employees

1. Metro Development III LLC Joe Thomas 614-206-0823 470 Olde Worthington Road, Suite 100 Westerville, Ohio 43082 67 Columbus-based employees	2.
3.	4.

☐ Check here if listing additional parties on a separate page.

SIGNATURE OF AFFIANT

Elizabeth Seedorf

Sworn to before me and signed in my presence this 15th day of May, in the year 2025

SIGNATURE OF NOTARY PUBLIC

Nicklaus J. Reis

Notary Seal Here

My Commission Expires

N/A



NICKLAUS J. REIS, Attorney At Law
NOTARY PUBLIC - STATE OF OHIO
My commission has no expiration date
Sec. 147.03 R.C.

This Project Disclosure Statement expires six (6) months after date of notarization.