

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

**APPLICATION:** CV25-097  
**Location:** 464 RATHMELL RD. (43137), being 22.7± acres located on the north side of Rathmell Road, 260± feet east of Fosterson Drive (010-258025; Far South Columbus Area Commission).  
**Requested Zoning:** L-ARLD, Limited Apartment Residential District (H-35).  
**Proposed Use:** Apartment complex.  
**Applicant(s):** Metro Development III LLC, c/o Elizabeth Seedorf, Atty.; 52 East Gay Street, Columbus, OH 43215.  
**Property Owner(s):** Churches of Christ in Christian Union; 464 Rathmell Road, Columbus, OH 43137.  
**Planner:** Alyssa Saltzman; 614-645-9625; [ADSaltzman@columbus.gov](mailto:ADSaltzman@columbus.gov)

**BACKGROUND:**

- The 22.7± acre site consists of one parcel developed with a religious facility in the R, Rural District. The northern 17.1 acres of the site will be rezoned to the L-ARLD, Limited Apartment Residential District and developed with a 216-unit apartment complex as part of concurrent rezoning Z25-051 (ORD #3346-2025).
- A concurrent Council variance has been filed to conform the existing conditions of the religious facility pending a lot split, allowing the religious facility and the apartment complex to be located on their own lot. Variances to reduce the minimum side yard from 7.5 feet to zero feet, a reduced rear yard from 25 percent to 14.7 percent, a reduced perimeter yard from 25 to 20 feet, and an increase in garage height from 15 feet to 16 feet are included in this request.
- North of the site are single-unit dwellings in the R-2, Residential District. West of the site is an apartment complex in the AR-12, Apartment Residential District. East of the site is a religious facility in the PUD, Planned Unit Development in the City of Obetz. South of the site are single-unit dwellings in the R, Rural District in Hamilton Township.
- The site is within the planning boundaries of the *South Central Accord (2000)*, which recommends “Low-Density Residential” land uses at this location. The site is also subject to early adoption of the *Columbus Citywide Planning Policies (C2P2) Design Guidelines (2018)*.
- The site is located within the boundaries of the Far South Columbus Area Commission, whose recommendation is for approval.
- Staff concurs with the Applicant’s analysis of the seven practical difficulties in achieving this proposed development and support the requested variances.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval

The requested Council variance will conform existing site conditions pending a lot split, for the religious facility in the R, Rural District, and includes variances to increase garage height, reduce rear yard, and reduce required setback areas. Staff supports the requested variances as they will conform the existing building and site layout at this location and the proposed garage elevations are consistent with C2P2 Design Guidelines.

## Council Variance Application

111 N Front Street, Columbus, Ohio 43215

Phone: 614-645-4522 • [ZoningInfo@columbus.gov](mailto:ZoningInfo@columbus.gov) • [www.columbus.gov/bzs](http://www.columbus.gov/bzs)

DEPARTMENT OF BUILDING  
 AND ZONING SERVICES

### **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

See Statement of Hardship attached as Appendix 1.

2. Whether the variance is substantial.

☐ Yes ☒ No

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

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

☐ Yes ☒ No

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

☒ Yes ☐ No

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

☐ Yes ☒ No

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

☒ Yes ☐ No

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):

Signature of Applicant

Date

9-30-25

**STATEMENT OF HARDSHIP**

**Property Address:** 464 Rathmell Road

**Applicant:** Metro Development III LLC

**Application:** CV25-097

The subject property consists of 17.1+/- acres (the “Site”) which is part of Franklin County Parcel No. 010258025 located at the corner of Rathmell Road and Parsons Avenue. The remainder of Franklin County Parcel No. 010258025 will remain in the Rural zoning district with an existing church remaining (the “Church Parcel”). The Site is contiguous to a single-family housing development in the R-2 zoning district to the north; a multi-family development in the AR-12 zoning district to the west; Parsons Avenue to the east; and a single-family housing development in the PUD6 zoning district to the south.

The applicant proposes to rezone the Site to L-ARLD 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”).

That this ordinance is further conditioned on the dedication of 60 feet of right-of-way from the centerline of Rathmell Road prior to approval of a final site compliance plan for the proposed apartment complex, unless otherwise determined by the Department of Public Service in response to a request for an exception to this requirement.

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 3333.255 requiring a minimum 25 foot perimeter yard to allow for a 5 foot perimeter yard along the westernmost southern property line as shown on the Site Plan.

The applicant is requesting a variance from Section 3333.255 requiring a minimum 25 foot perimeter yard to allow for a 0 foot perimeter yard at its closest point along the western property lines as shown on the Site Plan.

The applicant is requesting a variance from Section 3332.26(A) requiring a minimum 7.5 foot setback to allow for a 0 foot minimum setback at its closest point along the eastern property line of the Church Parcel as shown on the Site Plan.

The applicant is requesting a variance from Section 3332.27 requiring 25% rear yard of the total area to reduce the rear yard percentage to approximately 14.7%.

**Factors for consideration:**

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

The proposed variances will allow the Site to be developed for a multi-family apartment community which will help meet the critical need for housing in Columbus' urban core.

**Whether the variance is substantial.**

The applicant is seeking to increase the garage building height on the Site by 1 foot which is not substantial. The applicant is looking to reduce the perimeter yard setbacks on the western and southern property lines of the Site by 20 feet and 25 feet as shown on the Site Plan. Additionally, on the Church Parcel, the minimum side yard is reduced by 7.5 feet and the required rear yard percentage is decreased by approximately 10.3%.

**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.**

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. The adjoining properties will not suffer a substantial detriment because of the variances.

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

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

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


The applicant is in contract to purchase the Site for the development of a multi-family apartment community.

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

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

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

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

 11-24-25

Elizabeth Seedorf, Esq.

Vorys, Sater, Seymour and Pease LLP

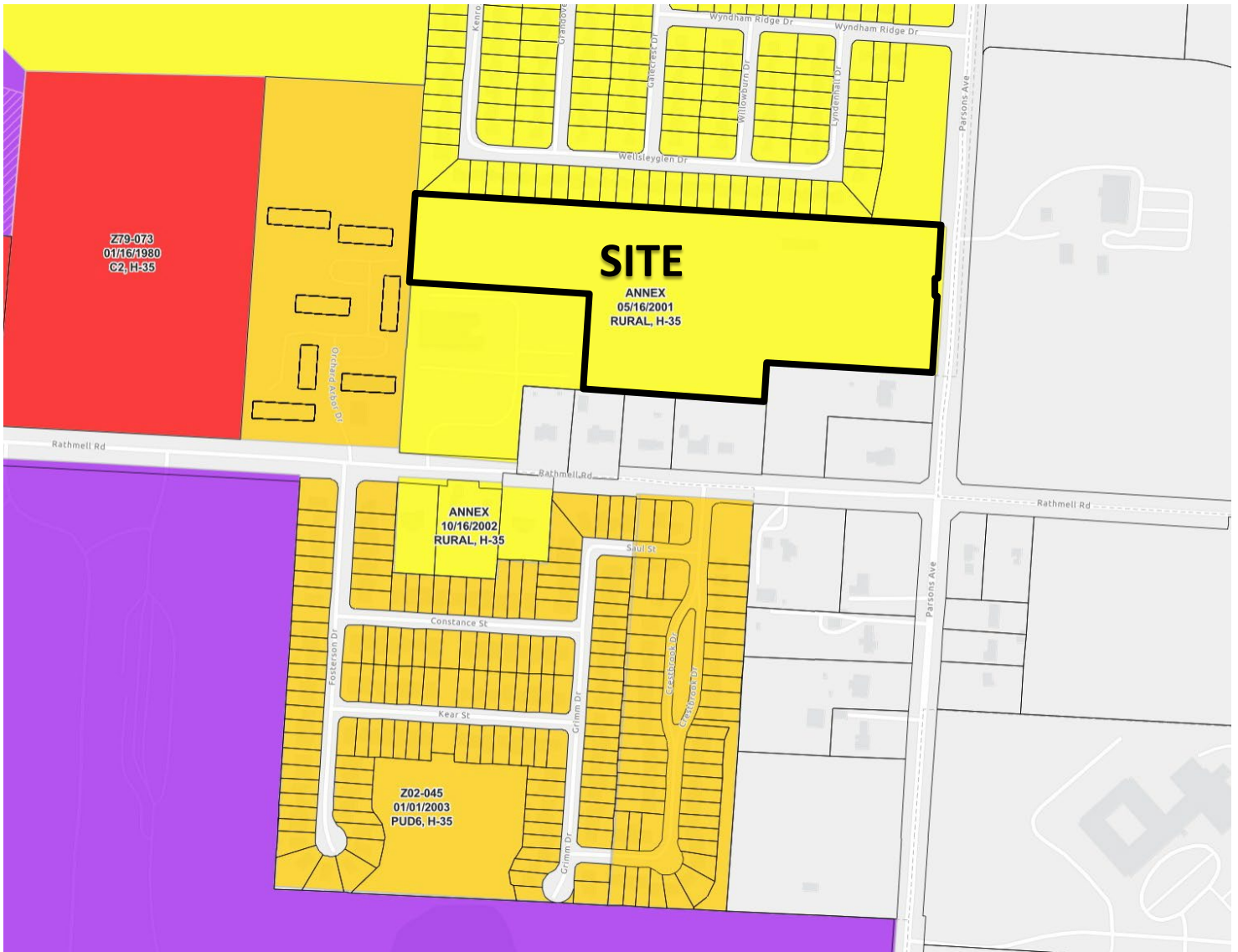
52 East Gay Street

Columbus, Ohio 43215

Phone: 614-464-6363

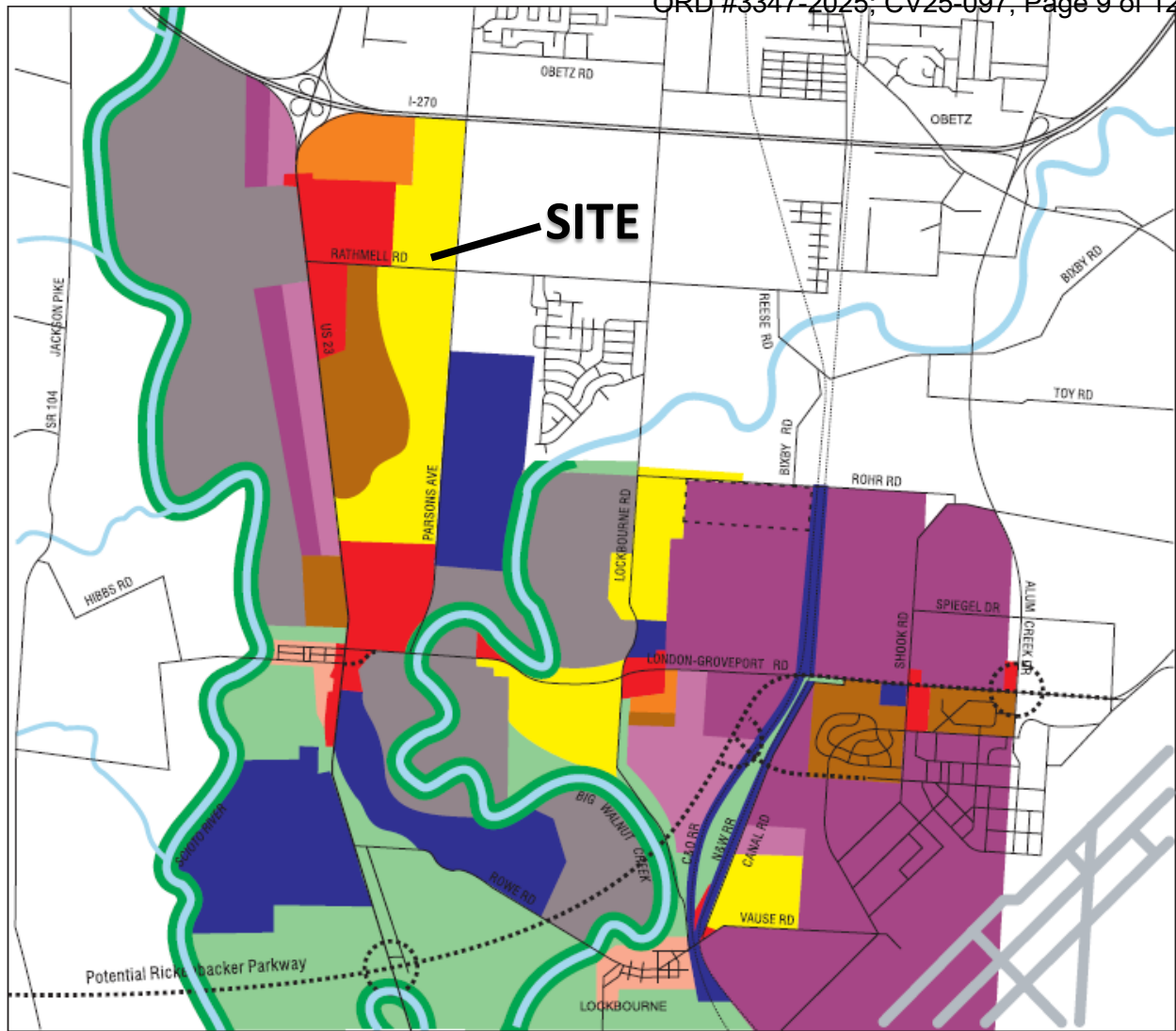
Email: [easeedorf@vorys.com](mailto:easeedorf@vorys.com)





CV25-097  
464 Rathmell Rd.  
Approximately 22.7 acres

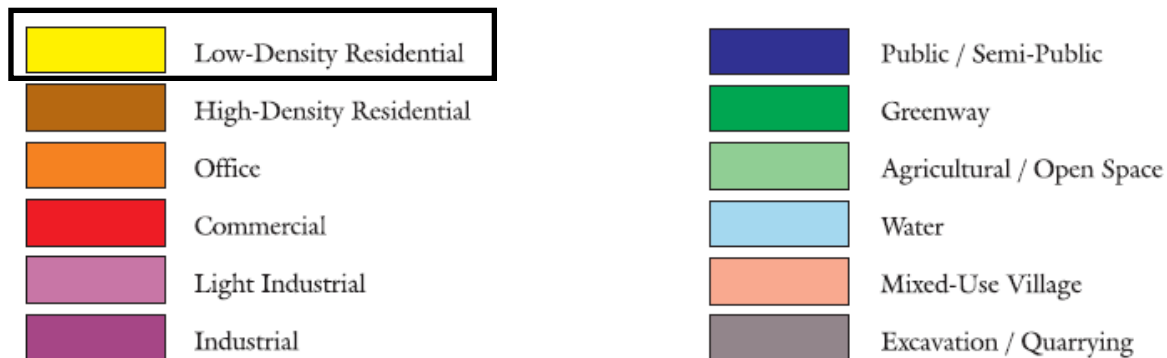




## South Central Accord

### Future Land Use

1 1/2 miles



CV25-097  
464 Rathmell Rd.  
Approximately 22.7 acres



CV25-097  
464 Rathmell Rd.  
Approximately 22.7 acres


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

<b>Case Number</b>	<u>Z25-051 &amp; CV25-097</u>
<b>Address</b>	<u>464 RATHMELL ROAD</u>
<b>Group Name</b>	<u>FAR SOUTH COLUMBUS AREA COMM.</u>
<b>Meeting Date</b>	<u>November 6th, 2025</u>
<b>Specify Case Type</b>	<input type="checkbox"/> BZA Variance / Special Permit <input checked="" type="checkbox"/> Council Variance <input checked="" type="checkbox"/> Rezoning <input type="checkbox"/> Graphics Variance / Plan / Special Permit
<b>Recommendation</b> (Check only one)	<input checked="" type="checkbox"/> Approval <input type="checkbox"/> Disapproval

**LIST BASIS FOR RECOMMENDATION:**

The FSCAC agrees that this development will be beneficial for the overall housing crisis in the Columbus metro area. Per full completion of the staffing review notes from the city the commission approves this development.

The FSCAC would like to make its concern known though that with all of the new development opportunities and multi-unit developments coming to the area there is a major concern with traffic, transportation, & schools capacity to handle all of these properties..

<b>Vote</b>	<u>4 Yeas 1 Nays 3 Abstentions</u>
<b>Signature of Authorized Representative</b>	
<b>Recommending Group Title</b>	<u>Far South Columbus Area Comission</u>
<b>Daytime Phone Number</b>	<u>614-390-6687</u>

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 #: CV25-097

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, OH 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 c/o Joe Thomas 614-540-2400 470 Olde Worthington Road, Suite 100, Westerville OH 43082 0 Columbus Employees	2.
3.	4.

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

SIGNATURE OF AFFIANT

Sworn to before me and signed in my presence this 30 day of September, in the year 2025

SIGNATURE OF NOTARY PUBLIC

My Commission Expires

Notary Seal Here



**John David Nevergall**  
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.***