

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

APPLICATION: CV24-138
Location: 3355 REFUGEE RD. (43232), being 9.03± acres located on the south side of Refugee Road, 1,800± feet east of Winchester Pike (530-156568; Mideast Area Commission).
Existing Zoning: L-C-4, Limited Commercial District.
Request: AR-1, Apartment Residential District (H-60).
Proposed Use: Apartment complex.
Applicant(s): Columbus Metropolitan Housing Authority; c/o Jackson B. Reynolds, III, Atty; 37 West Broad Street, Suite 260; Columbus, OH 43215.
Property Owner(s): Columbus Metropolitan Housing Authority; 880 East 11th Avenue, Columbus, OH 43211.
Planner: Phil Ashear; 614-645-1719; piashear@columbus.gov

BACKGROUND:

- The applicant has received a recommendation of approval from Staff and the Development Commission for the proposed AR-1, Apartment Residential District. The requested Council Variance will allow reduced parking lot landscaping and screening, required parking, building setback line, and perimeter yard, for a proposed 220-unit affordable apartment complex.
- To the north of the site is a religious facility in the L-I, Limited Institutional District. To the west is a retail use in the L-C-4, Limited Commercial District, a contracting company in the L-M-2, Limited Manufacturing District, and multi-unit residential development in the ARLD, Apartment Residential District. To the east is an auto-repair use in the L-C-4, Limited Commercial District. To the south is multi-unit residential development in the ARLD, Apartment Residential District.
- The site is not within the boundary of an adopted area plan; therefore, there is no land use recommendation at this location. However, the site is subject to early adoption of *Columbus Citywide Planning Policies* (C2P2) Design Guidelines (2018).
- The site is located within the boundaries of the Mideast Area Commission, whose recommendation is for approval.
- Staff concurs with the applicant's analysis of the seven practical difficulties in achieving the proposed development.

CITY DEPARTMENTS' RECOMMENDATION: Approval

The requested Council Variance will allow for an apartment complex that includes landscaping and building placements that are consistent with C2P2 Design Guidelines. Noting this consistency, staff supports the requested variances.

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

Yes, but the owner/applicant seeks to fully utilize the property to provide needed housing in the central Ohio area so the three variances are requested to create new housing with minimal impacts on surrounding properties.

2. Whether the variance is substantial.

☐ Yes ☒ No

No, the three variances are not substantial as the site has been carefully planned to minimize any impacts on surrounding properties.

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

No, the granting of the variances will not change the essential character of the neighborhood nor be a detriment to adjoining properties.

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

☐ Yes ☒ No

No, granting the variances will not affect the delivery of governmental services.

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

☐ Yes ☒ No

No, the property was not purchased with the knowledge of the requested variances,
it was only after the complex was laid out were the variances identified.

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

☐ Yes ☒ No

No, the only way to solve the development standard issues is through the council
variance process.

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

☒ Yes ☐ No

Yes, the spirit behind the Columbus Zoning Code will be observed and justice will
be served by granting the variances.

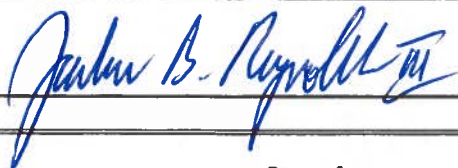
List all sections of Code to be varied and explain your reasoning as to why this request should be granted.

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 sheet

Signature of Applicant



Date

10/20/24

Variance Statement
3355 Refugee Road

1. CCC 3333.18(B) – to reduce the building setback to bring the buildings forward towards the right of way and place the parking to the rear is a planning objective through the city. (To reduce the building setback along Refugee Road from 80' to 45.)
2. CCC 3312.49(c) – to reduce the number of parking spaces from 330 to 310 as there other mass transit means of travel in the area and the loss of 20 spaces is insignificant to the site.
3. CCC 3333.25 – to reduce the perimeter yard area around the site as there will be carefully landscaped beds, trees and planting to create the necessary screening desired by this section to merit the granting of the variance. (To reduce the setback from 25' to 1'.)
4. CCC 3312.21(D)(1) – to reduce the parking lot screening area from 4' to 1'.

CV24-138
L-C-4 to AR-1
3355 Refugee Road
Approximately 9.03 acres



CV24-138
L-C-4 to AR-1
3355 Refugee Road
Approximately 9.03 acres

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

Case Number _____

Address _____

Group Name _____

Meeting Date _____

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:

Vote _____

Signature of Authorized Representative Felicia A. Saunders

Recommending Group Title _____

Daytime Phone Number _____

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.

Council Variance Application

111 N Front Street, Columbus, Ohio 43215

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

PROJECT DISCLOSURE STATEMENT

APPLICATION #: CV24-138

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) Jackson B. Reynolds, III

of (COMPLETE ADDRESS) 37 West Broad Street, Suite 460, 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. Columbus Metropolitan Housing Authority 880 E. 11th Avenue Columbus, OH 43211 Mike Wagner 614-421-6000	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 6th day of June, in the year 2025

SIGNATURE OF NOTARY PUBLIC

My Commission Expires

Notary Seal Here



Natalie C. Timmons
Notary Public, State of Ohio
My Commission Expires 09-04-2025

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