

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

APPLICATION: **CV24-064**
Location: **6955 HARLEM RD. (43081)**, being 6.06± acres located on the west side of Harlem Road, 400± feet north of Central College Road (part of 010-278013 and part of 220-001876; Rocky Fork Blacklick Accord Panel).
Existing Zoning: R, Rural District.
Proposed Use: Reduced lot sizes for existing single-unit dwellings.
Applicant(s): Preferred Living, c/o David Hodge, Atty.; 8000 Walton Parkway, Suite 260, New Albany, OH 43054.
Property Owner(s): Norman Singer; 5918 Wyndale Drive, Westerville, OH 43081.
Planner: Alyssa Saltzman; 614-645-9625; ADSaltzman@columbus.gov

BACKGROUND:

- The 6.06± acre site consists of the eastern portions of two parcels, each developed with a single-unit dwelling, and zoned in the R, Rural District. The requested Council variance will allow the lots, which are already less than five acres, to be split to create new lot sizes of three acres each. The western portion of these lots is proposed to be rezoned under Z24-022, a request to the L-AR-1, Limited Apartment Residential District, as an additional phase (48 units) of the adjacent apartment complex to the south.
- North of the site are condominiums in the PUD-4, Planned Unit Development District. West of the site is a proposed multi-unit residential development that is pending rezoning Z24-022 to the L-AR-1, Limited Apartment Residential District. South of the site is the first phase of this multi-unit residential development in the AR-1, Apartment Residential District. East of the site across Harlem Road are single-unit dwellings in Plain Township.
- The site is within the planning boundaries of the *Rocky Fork Blacklick Accord (2003)*, which recommends “Village Residential” and “Neighborhood” land uses at this location.
- The site is located within the boundaries of the Rocky Fork Blacklick Accord Panel, whose recommendation is for approval.
- The *Columbus Multimodal Thoroughfare Plan (2019)* identifies Harlem Road as a Suburban Community Connector requiring 80 feet of right-of-way from centerline.
- Staff recognizes that there are practical difficulties with the reduction in the R, Rural District lot area requirements included in the request.

CITY DEPARTMENTS’ RECOMMENDATION: Approval

The requested Council variance will support the City’s objective of creating more housing and is compatible with the *Rocky Fork-Blacklick Accord’s (2003)* recommendation of “Village Residential” at this site with a density of one unit/acres.

STATEMENT IN SUPPORT

Application No.: CV24-064
Location: 6955 Harlem Road.
Existing Zoning: R, Rural (post-annexation)
Request: Variance(s) to Section(s):
 3332.06 – R-rural area district requirements. To reduce the minimum lot area from 5 acres to 3 acres.
Proposal: To permit a lot split in companion with a proposed residential rezoning.
Applicant(s): Preferred Living c/o Jared Smith
 750 Communications Parkway
 Columbus, Ohio 43214
Attorney/Agent: David Hodge, Esq., Underhill and Hodge, LLC
 8000 Walton Parkway, Suite 260
 New Albany, Ohio 43054
Property Owner(s): Norman Singer
 5918 Wyndale Drive
 Westerville, Ohio 43081
Date: May 24, 2024

The Applicant submits this statement in support of its companion council variance application. The Applicant filed a rezoning application on the rear +/- 3.0 acres of this +/- 9.096-acre site. The rezoning application requests to rezone those +/- 3.0 acres to L-AR-1 to so that the Applicant may develop a small second phase to the adjacent apartment complex to the south. The purpose of this application is to request a variance to reduce the minimum required lot area of the remainder tracts, which will remain in the R-rural zoning district, from 5 acres to 3 acres. This lot split will facilitate combining the proposed second phase development with the first phase.

The site is within the boundary of the Rocky Fork Blacklick Accord. The site is also within the boundary of the Rocky Fork Blacklick Accord Community Plan which recommends village residential uses.

The Applicant respectfully requests the following variance:

1. Section 3332.06 – R-rural area district requirements. To reduce the minimum lot area from 5 acres to 3 acres.

City Council may permit a variation in the yard, height or parking requirements of any district in conjunction with a change in zoning 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.

The Applicant has unusual and practical difficulties because it proposes a second phase of an apartment complex and needs to combine the lots of this phase with the first phase for

development, permit, utility, access, and tax purposes. The only way to facilitate that combination is to first split the proposed development from the parent tracts.

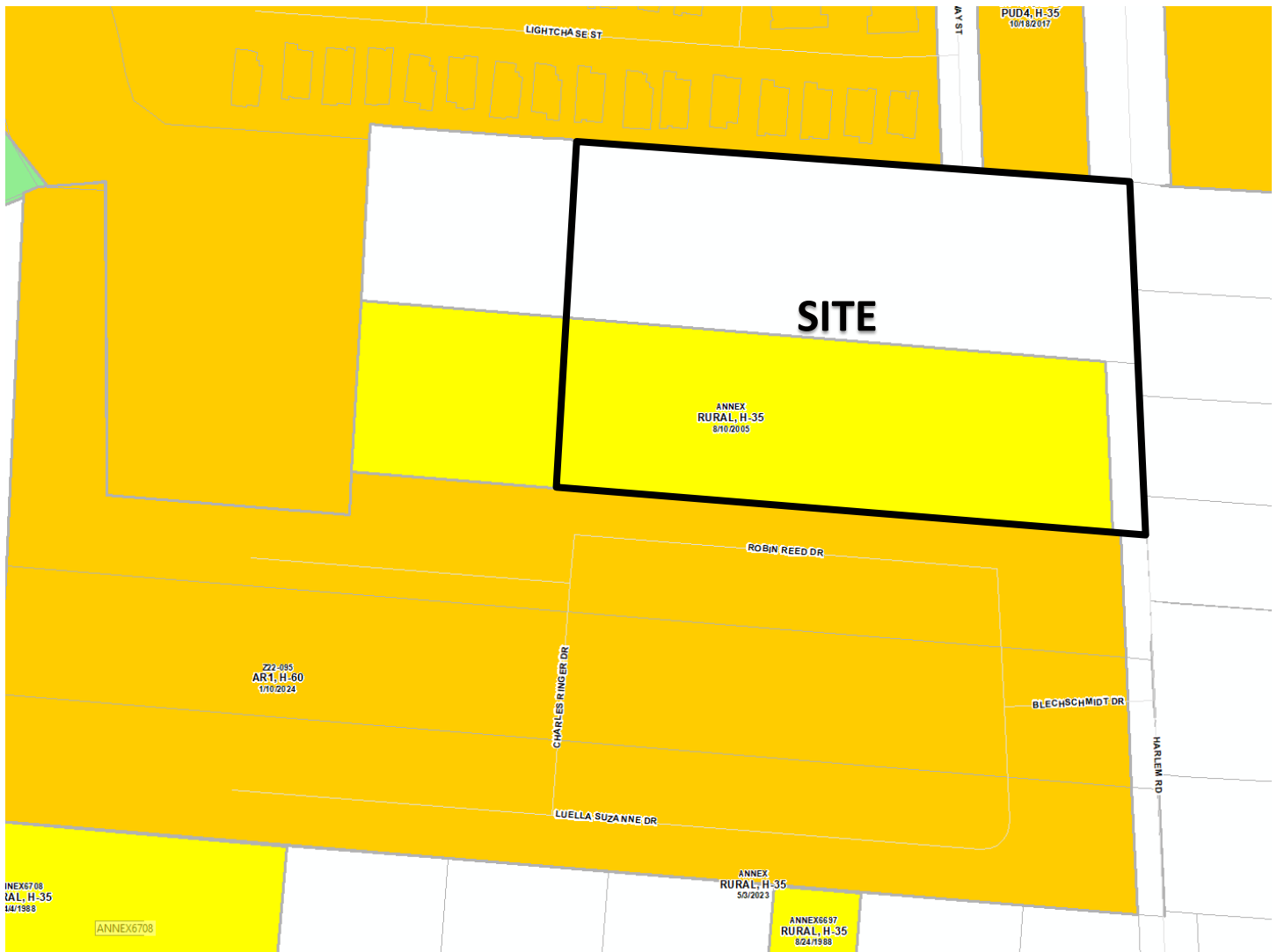
The requested variance will not seriously affect adjoining properties or the general welfare. The adjoining properties to the south and east are the Applicants and Property Owners of this application and are making the request. The property owners to the north will not be affected because this new development proposes an approximately 200 foot setback from the north property line with substantial buffering (new and preserved) and a retention pond. The property to the west is preserved open space for the PUD to the north and will never have any directly adjacent homes. Also, the remainder parent parcels will remain in the R-rural zoning district and with 3 acre lots will preserve the rural character of the neighborhood to the north. Therefore, this variance and lot split will not cause any discernable change for adjoining properties or the general welfare.

The Applicant respectfully requests that City Council weigh these factors in its consideration and grant the requested variances.

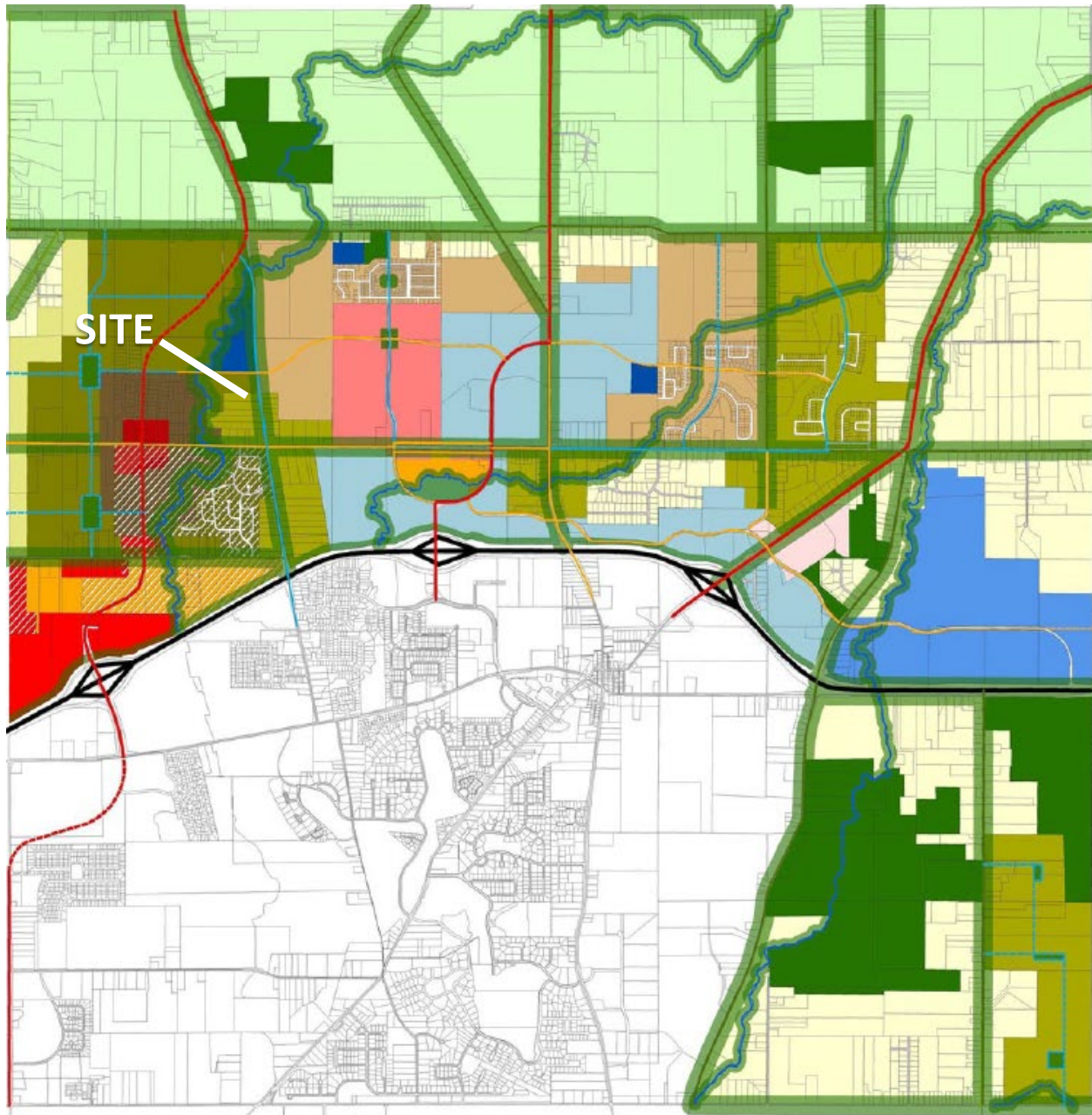
Respectfully submitted,



David Hodge, Attorney for Applicant



CV24-064
6955 Harlem Road
Approximately 6.0 acres



Legend

Office	Park/Open Space	Edge
Office/Warehouse	Village Mixed Use	Neighborhood
Town Mixed Use	Town Residential	Neighborhood Center
Commercial	Village Residential	Neighborhood Center Commercial
Multi-Family	Rural Residential	Park Zone
Civic/Schools		

Preexisting zoning represented by hatching.

CV24-064
6955 Harlem Road
Approximately 6.0 acres



CV24-064
6955 Harlem Road
Approximately 6.0 acres

**THE ROCKY FORK-BLACKLICK ACCORD
IMPLEMENTATION PANEL
June 20, 2024
RECORD OF PROCEEDINGS**

Z24-022 and CV24-065 (6955 Harlem Road)

Conceptual review regarding a Columbus application to rezone, with variance, parts of parcels 010-278013 and 220001876 generally located on the west side of Harlem Road and north of Central College Road.

Acreage: 3.0 +/-
Current Zoning: Rural
RFBA District: Village Residential
Proposed Zoning: L-AR-1
Applicant(s): Preferred Living, c/o Jared Smith
Property Owner(s): Norman Singer

STAFF COMMENTS:

The proposal was considered for conceptual review at the June 20, 2024 meeting, where the staff and panel's comments surrounding lot coverage, lighting, building materials, landscaping, tree preservation, parking, and the maneuvering of emergency vehicles were noted. The panel motioned and unanimously recommended this application be moved to "For Action" during the meeting so it could be voted on.

Staff finds the proposed land use and density to be appropriate based on the location and surrounding development patterns along Harlem Road. Additionally, staff finds the site design to be generally appropriate as the applicant has taken steps to adhere to the Accord design standards.

MOTION:

To recommend approval of a City of Columbus rezoning and council variance application within the Accord study area with conditions listed in the staff report, that elevations for all sides as well as building materials be provided; that total lot coverage not exceed 70%; that a detailed site plan showing lighting types and locations consistent with plan guidelines be provided; that a landscaping plan be provided; and that there be a 25' minimum healthy tree preservation zone along the east, north, and west sides of the property.

RESULT:

This motion was approved (6-0-0)

Mr. Brubaker	Yes
Mr. Chappellear	Yes
Mr. Harper	Yes
Mr. Herskowitz	Yes
Mr. Paul	Yes
Mr. Smithers	Yes

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 #: CV24-064

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) Eric Zartman

of (COMPLETE ADDRESS) 8000 Walton Parkway, Suite 260, New Albany, Ohio 43054

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. Preferred Living 750 Communications Parkway Columbus, Ohio 43214 (85 employees)	2. Norman Singer 5918 Wyndale Drive Westerville, Ohio 43081 (0 employees)
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 24 day of May, in the year 2024

SIGNATURE OF NOTARY PUBLIC 

My Commission Expires _____

Notary Seal Here



Justin M. Fox
Attorney At Law
Notary Public, State of Ohio
My Commission Does Not Expire
Sec. 147.03 R.C.

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