

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

APPLICATION: CV24-091
Location: 1470 N. HAGUE AVE. (43204), being 29.2± acres located on the east side of North Hague Avenue 3,200± feet south of Trabue Road (146-344558, 146-344559, & 010-153761; West Scioto Area Commission).
Pending Zoning: L-ARLD, Limited Apartment Residential District (H-35).
Proposed Use: Apartment complex.
Applicant(s): Metro Development LLC; c/o Jeffery L. Brown, Atty. 37 West Broad Street, Suite 460; Columbus, OH 43215
Property Owner(s): Adterra Development LLC; 1937 Seaford Court; Columbus, OH 43220
Planner: Dane Kirk; 614-645-7973; DEKirk@Columbus.gov

BACKGROUND:

- The 29.2± site consists of three parcels. The first, zoned in the M-2, Manufacturing District, is developed with an equestrian school. The other two are developed with a single-unit dwelling and are zoned in the R, Rural District. The requested variance is in conjunction with a rezoning request (Z24-035) to the L-ARLD, Limited Apartment Residential District to allow for the establishment of a residential apartment complex.
- To allow the development as proposed, the applicant is requesting area variances to reduce the building setback along North Hague Avenue from 40 feet to 15 feet for a utility building, to reduce the perimeter yard for detached garage buildings along the railway line at the east side of the property from 25 feet to 5 feet, and to increase the allowable garage building height from 15 feet to 16 feet.
- North, south, and west of the site are single-unit dwellings on unincorporated parcels. East of the site is an equestrian center in the M-2, Manufacturing District.
- The applicant has received a recommendation of approval from Staff and from the Development Commission for concurrent rezoning request Z24-035.
- *Columbus Citywide Planning Policies (C2P2) Design Guidelines (2018)* are applicable to this location.
- The site is located within the boundaries of the West Scioto Area Commission, whose recommendation is for approval.
- Staff concurs with the applicant's analysis of the seven practical difficulties in achieving this proposed development.

CITY DEPARTMENTS' RECOMMENDATION: Approval

The requested Council variance allows reduced building lines, reduced perimeter yard, and increased height of detached garages for a proposed apartment complex. Staff are supportive

of the proposal, as it will result in an apartment complex development that provides tree preservation areas and design features consistent with C2P2 Design Guidelines.

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 proposed variances would permit the development of the site for multifamily units with reduced setback along the railroad tracks, increased the garage height to promote better drainage and to permit the utility meter building to be closer to the street.

2. Whether the variance is substantial.

☒ Yes ☐ No

The perimeter yard goes from 25 to 5ft for garages which are along the railroad tracks. The setback goes from 40 to 15 ft but it is only for the utility meter building. Garage height goes from 15 to 16 ft.

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 proposed variances will not substantially alter the essential character of the neighborhood nor would adjoining properties(ie railroad tracks) suffer a substantial detriment due to these variances.

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

☐ Yes ☒ No

The varainces will not have an adverse affect on the delivery of governmental services.

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

☐ Yes ☒ No

The applicant has the property in contract subject to the annexation and zoning.

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

☐ Yes ☒ No

The variance procees is the only way to resolve these issues.

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

☒ Yes ☐ No

The variance for the utility meter building is the result of the city' requirements,the garage height is minor and the perimeter yard reduction backs upto the railroad tracks and is for the garages.The spirit and intent behind the requirements would be observed and substantial justice done 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 for variances

Signature of Applicant

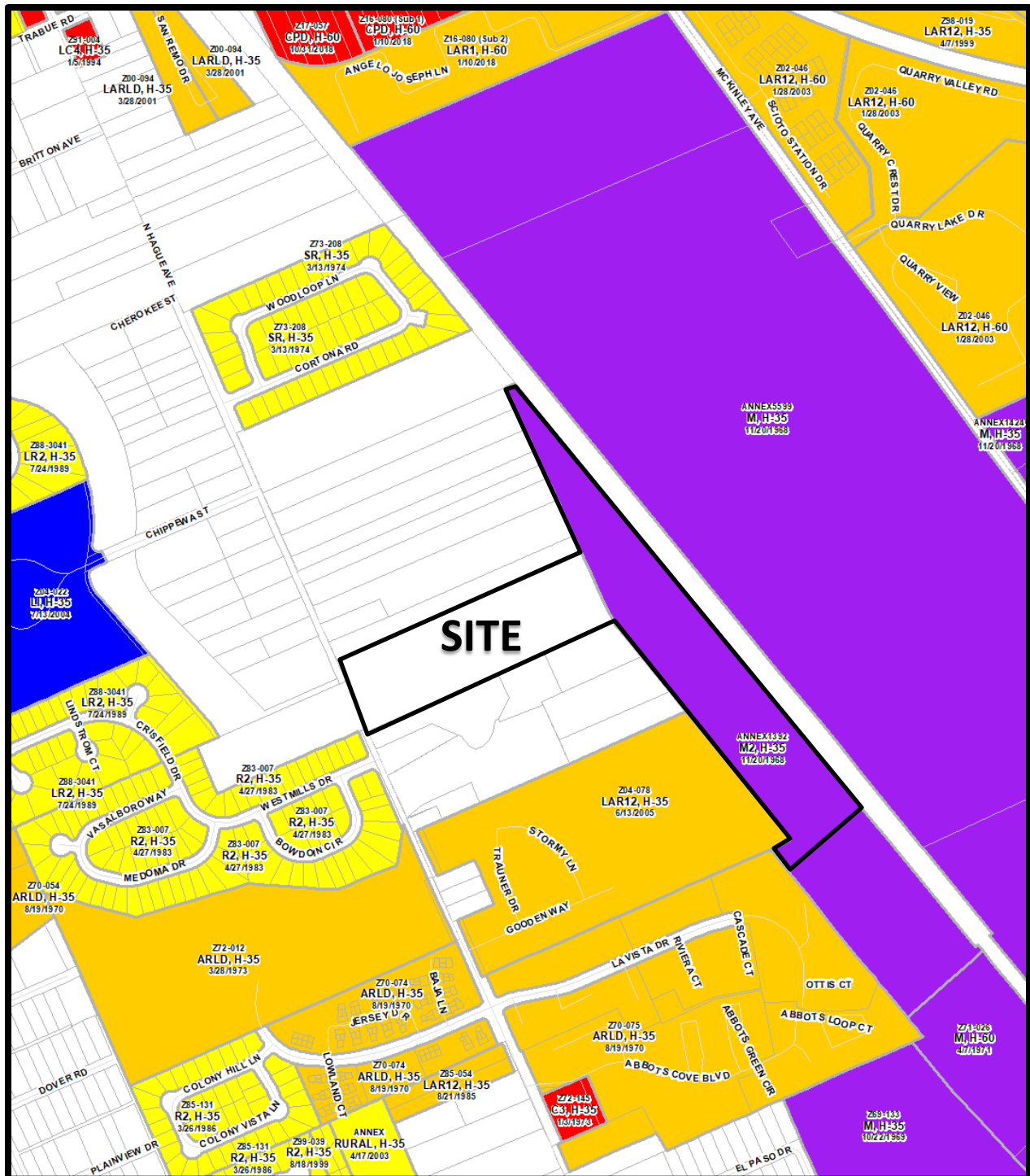
Date

Variances for 1470 North Hague Avenue

Section 3333.18 building Lines: to reduce the building setback along North Hague Avenue from 40 to 15 feet for the meter building.

Section 3333.255 Perimeter Yard: to reduce the perimeter yard along the railroad tracks from 25 to 5 feet.

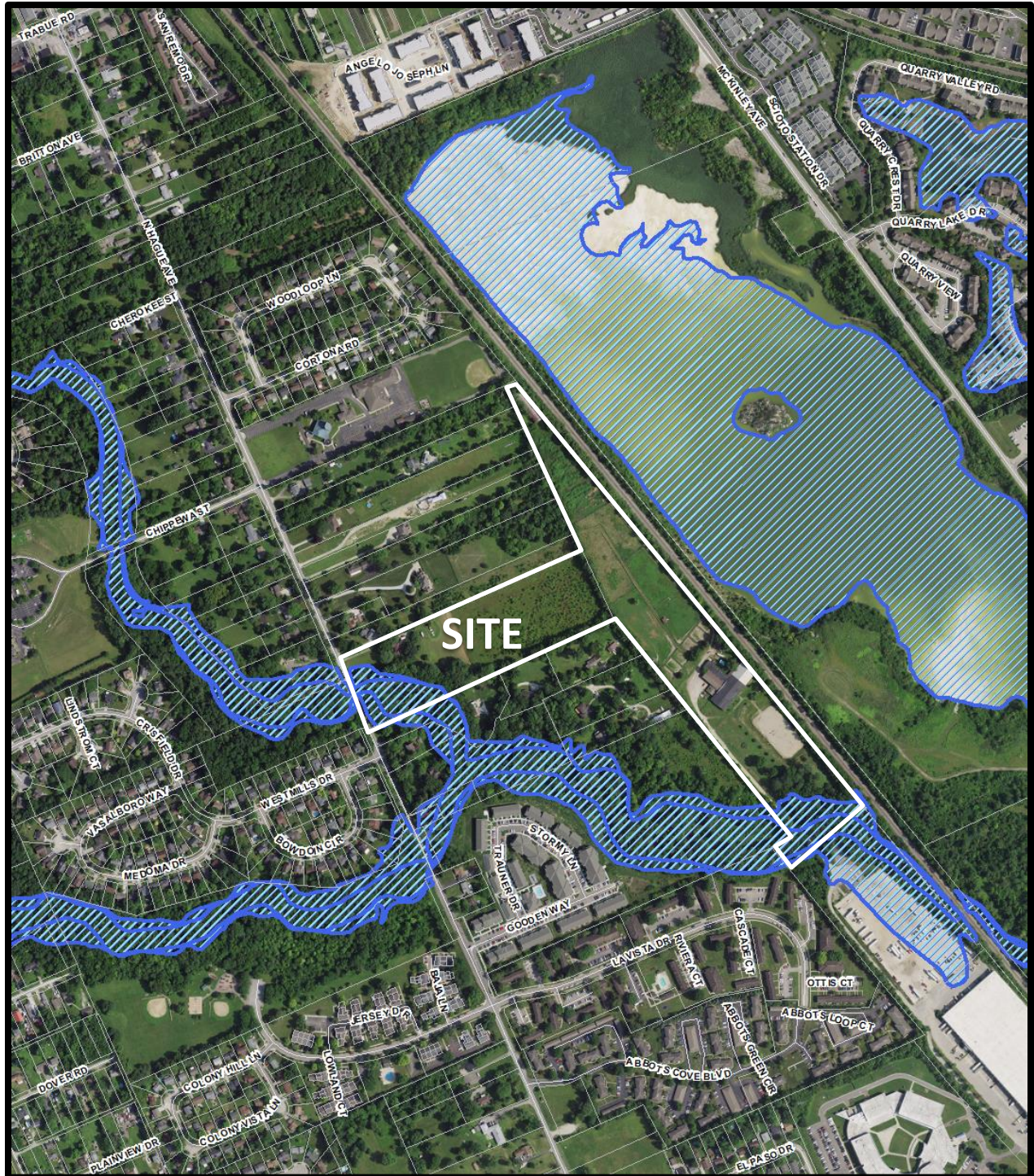
Section 3333.35(G) Private Garage: to increase the height of the garages from 15 to 16 feet.



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Approximately 29.2 acres



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Standardized Recommendation Form

DEPARTMENT OF BUILDING
AND ZONING SERVICES

111 N Front Street, Columbus, Ohio 43215
Phone: 614-645-4522 • ZoningInfo@columbus.gov • www.columbus.gov/bzs

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

Case Number Z24-035 & CV24-091

Address 1470 N. Hague Ave.

Group Name WEST SCIOTO AREA COMMISSION

Meeting Date November 21, 2024

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:

WSAC met on November 21, 2024. WSAC voted to approve this application by a vote of 4 in favor, 1 opposed and 1 abstention. Two commissioners were absent. There was a robust conversation on the Hague Ave. use of an estimated 720 new residents accessing the already congested road. This information needs to be passed on to the City.

There is a school that creates significant traffic on Hague Avenue now with regular backups. Traffic congestion has to be considered on Hague Avenue given the existing traffic issues and all of the new developments that will add a significant number of residents to the already problematic traffic issues.

Vote 4-1-1

Signature of Authorized Representative Kristen E. McKinley Digitally signed by Kristen E. McKinley
Date: 2024.12.04 14:40:16 -05'00'

Recommending Group Title West Scioto Area Commission

Daytime Phone Number 614-404-9220

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.

DEPARTMENT OF BUILDING
AND ZONING SERVICES

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PROJECT DISCLOSURE STATEMENT

APPLICATION #: CV24-091

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) Jeffrey L. Brown

of (COMPLETE ADDRESS) 37 West Broad Street STE 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. Metro Development LLC. Joe Thomas 614-560-2400 470 Olde Worthington Road STE 100 Westerville, OH 43082 Columbus based employees 85.	2. Adterra Development LLC. Sean Adkins 614-296-5488 1937 Seaford Court Columbus, OH 43220 No Columbus based 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 19th day of February, 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.