

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

APPLICATION: **CV25-025**
Location: **2410 DEMOREST RD. (43123)**, being 14.07± acres located on the east side of Demorest Road, 800± feet north of Black Pine Drive (160-002858 and 160-002870; Westland Area Commission).
Pending Zoning: L-AR-1, Limited Apartment Residential District (H-35).
Proposed Use: Apartment complex.
Applicant(s): Metro Development LLC., c/o Jeffrey L. Brown, Atty.; 37 West Broad Street, Suite 460, Columbus, OH 43215.
Property Owner(s): James E. and Karen L. Ruggles; 2410 Demorest Road, Grove City, OH 43123; and Hank W. and Patricia Schreck; 2380 Demorest Road, Grove City, OH 43123.
Planner: Dane Kirk; 614-645-7973; DEKirk@Columbus.gov

BACKGROUND:

- The applicant has received a recommendation of approval from Staff and the Development Commission for the proposed L-AR-1, Limited Apartment Residential District. The requested Council Variance will allow an increased garage building height from 15 feet to 16 feet for a proposed 264-unit apartment complex.
- North and south of the site are single-unit dwellings in the SR, Semi-Residential District under the jurisdiction of Jackson Township. East of the site are single-unit dwellings in the L-R-2, Limited Residential District. West of the site is a religious facility in the SR, Semi-Residential District under the jurisdiction of Jackson Township.
- The site is within the planning boundaries of *The Westland Plan* (1994), which recommends “Low density residential, 1-2 units per acre” land uses at this location. The site is also subject to early adoption of *Columbus Citywide Planning Policies* (C2P2) Design Guidelines (2018).
- The site is located within the boundaries of the Westland 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 garages with roof pitches that match those of the surrounding buildings, consistent with C2P2 Design Guidelines recommendations. Noting this consistency, staff supports the requested variance.

Council Variance Application

DEPARTMENT OF BUILDING
AND ZONING SERVICES

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

2. Whether the variance is substantial.

☐ Yes ☒ No

The request is for an increase of one foot for the garage height which is not substantial.

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

see attached sheet.

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

☒ Yes ☐ No

Governmental services are already supplied to this area.

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

☒ Yes ☐ No

The applicant is aware of the the zoing restriction.

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

☐ Yes ☒ No

A variance is the only way to resolve this zoning issue.

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

☒ Yes ☐ No

see attached sheet.

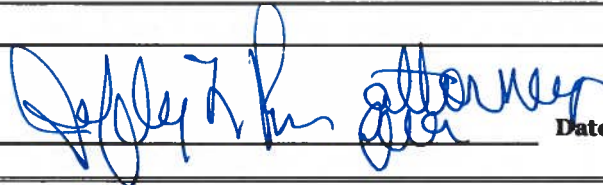
List all sections of Code to be varied and explain your reasoning as to why this request should be granted.

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

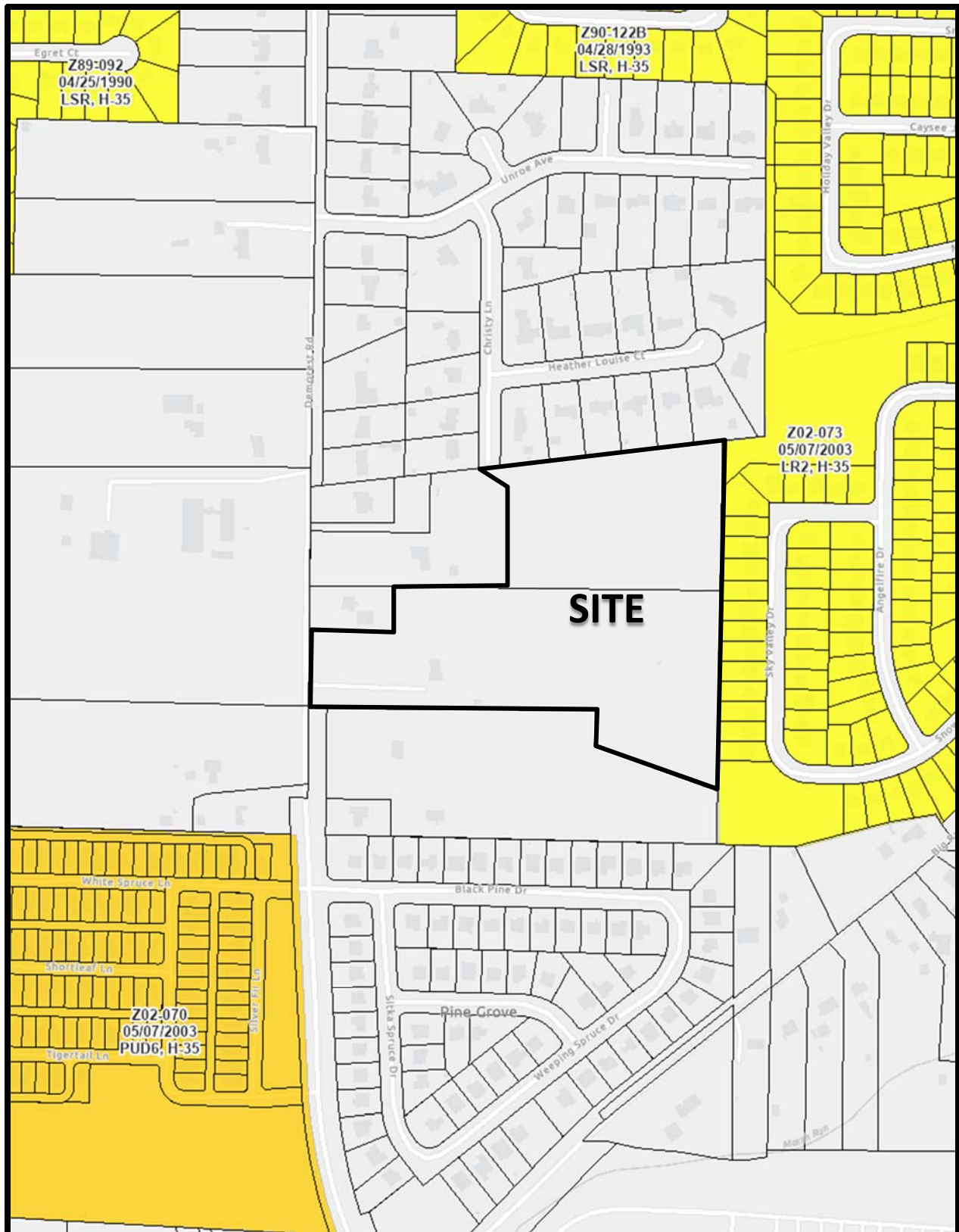
3/19/25

Statement of Hardship for 2410 Demorest Road

Factor 3. The increase of 1 foot in the height of the garages 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 variance due to the landscaping that will occur in the perimeter yard between the garages and the adjacent property lines.

Factor 7. The increase of 1 foot in height for the garages will provide better drainage for the garage roof which is in keeping with the spirit and intent behind the zoning requirement and substantial justice will be done by the granting of the 1-foot variance.

The variance to section 3333.35 (G) Private Garage to increase the height of the garages by 1 foot would allow the applicant to provide garages with better roof drainage. Given the perimeter yard and the landscaping that would be installed between the garages and the adjacent property lines, the difference of 1 foot in height would not substantially alter the essential character of the neighborhood which is residential; nor would the adjoining properties suffer a substantial detriment as a result of granting the variance.



CV25-025
2410 Demorest Rd. (43123)
Approximately 14.07 acres



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Approximately 14.07 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 CV25-001

Address 2410 Demorest Road

Group Name Westland Area Commission

Meeting Date June 18, 2025

Specify Case Type

☐ BZA Variance / Special Permit

☒ Council Variance

☐ Rezoning

☐ Graphics Variance / Plan / Special Permit

Recommendation
 (Check only one)

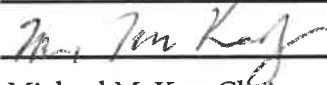
☒ Approval

☐ Disapproval

LIST BASIS FOR RECOMMENDATION:

The Council Variance request was handled separately from the associated re-zoning request (Z25-012).

Vote 7-2

Signature of Authorized Representative 

Recommending Group Title Michael McKay, Chairman, Zoning Committee

Daytime Phone Number 614-745-5452

Please e-mail this form to the assigned planner within 48 hours of meeting day; OR FAX to Zoning at (614) 645-2463; 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 #: CV25-025

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 Joe Thomas 614-540-2400 470 Olde Worthington Road Westerville, OH 43082 67 Columbus based employees.	2. James E. and Karen L. Ruggles 614-530-4402 2410 Demorest Road Grove City, OH 43123 No Columbus based employees.
3. Hank W. and Patricia Schreck 614-871-3856 2380 Demorest Road Grove City, OH 43123 No Columbus based employees.	4.

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

SIGNATURE OF AFFIANT

Sworn to before me and signed in my presence this

day of

March

, 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.