



Legislation Details (With Text)

File #: 2573-2022 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 9/15/2022 **In control:** Zoning Committee

On agenda: 10/10/2022 **Final action:** 10/13/2022

Title: To grant a Variance from the provisions of Section 3333.18, Building lines, of the Columbus City Codes; for the property located at 2006 E. 5TH AVE. (43219), to permit an 8-unit building with reduced development standards in the AR-12, Apartment Residential District (Council Variance #CV22-043).

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD2573-2022_Attachments, 2. ORD2573-2022_Labels

Date	Ver.	Action By	Action	Result
10/13/2022	1	CITY CLERK	Attest	
10/12/2022	1	MAYOR	Signed	
10/10/2022	1	COUNCIL PRESIDENT	Signed	
10/10/2022	1	Zoning Committee	Accept entire staff report into evidence as an exhibit	Pass
10/10/2022	1	Zoning Committee	Approved	Pass
10/10/2022	1	Zoning Committee	Adopt the findings of staff as the findings of Council	Pass
10/3/2022	1	Columbus City Council	Read for the First Time	

Council Variance Application: CV22-043

APPLICANT: Logan Gianna, LLC; c/o Joaquin Serantes, Agent; 4700 Reed Road, Suite O; Columbus, OH 43220.

PROPOSED USE: Multi-unit residential development.

NORTH CENTRAL AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The applicant has received a recommendation of approval from Staff and the Development Commission for a concurrent rezoning (Ordinance #2752-2022; Z22-017) to the AR-12, Apartment Residential District. The applicant proposes a multi-unit residential development with eight total units. A variance to reduce the building setback lines along Leonard Avenue and Brentell Avenue is included in this request. The reductions will achieve a development pattern consistent with the existing residential uses in the area.

To grant a Variance from the provisions of Section 3333.18, Building lines, of the Columbus City Codes; for the property located at **2006 E. 5TH AVE. (43219)**, to permit reduced development standards for a multi-unit residential development in the AR-12, Apartment Residential District (Council Variance #CV22-043).

WHEREAS, by application #CV22-043, the owner of property at **2006 E. 5TH AVE. (43219)**, is requesting a Council variance to permit to permit reduced development standards for a multi-unit residential development in the AR-12, Apartment Residential District; and

WHEREAS, Section 3333.18, Building lines, requires a building setback line of 40 feet along both Leonard Avenue and Brentnell Avenue, while the applicant proposes reduced building lines of 30 feet along Leonard Avenue, and 20 feet along Brentnell Avenue; and

WHEREAS, the North Central Area Commission recommends approval, and

WHEREAS, the City Departments recommend approval because the reduced building setback lines will achieve a development pattern that is consistent with adjacent existing residential uses; and

WHEREAS, this ordinance requires separate submission for all applicable permits and a Certificate of Occupancy for the proposed use; and

WHEREAS, said variance will not adversely affect the surrounding property or surrounding neighborhood; and

WHEREAS, the granting of said variance will not impair an adequate supply of light and air to adjacent properties or unreasonably increase the congestion of public streets, or unreasonably diminish or impair established property values within the surrounding area, or otherwise impair the public health, safety, comfort, morals, or welfare of the inhabitants of the City of Columbus; and

WHEREAS, the granting of said variance will alleviate the difficulties encountered by the owners of the property located at **2006 E. 5TH AVE. (43219)**, in using said property as desired; now, therefore:

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That a variance from the provisions of Section 3333.18, Building lines, of the Columbus City Codes, is hereby granted for the property located at **2006 E. 5TH AVE. (43219)**, insofar as said sections prohibit reduced building lines from 40 feet to 30 feet along Leonard Avenue and 20 feet along Brentnell Avenue, said property being more particularly described as follows:

2006 E. 5TH AVE. (43219), being 1.72± acres located at the northwest corner of East Fifth Avenue and Brentnell Avenue, and being more particularly described as follows:

Parcel I (010-027403-00)

Situated in the State of Ohio, County of Franklin and City of Columbus:

Being Lots Numbered Ninety-Eight (98), Ninety-Nine (99), One Hundred (100), One Hundred One (101) and One Hundred Two (102) of H. H. Parson's Addition, as the same are numbered and delineated upon the recorded plat thereof, of record in Plat Book 7 Page 238, Recorder's Office, Franklin County, Ohio.

EXCEPTING THEREFROM:

Situated in the City of Columbus, County of Franklin, State of Ohio and in Section Quarter Township 3, Town 1N, Range 17W and being part of Original Lot Number 102 of H. H. Parson's Subdivision as shown in Play Book 7, Page 238 County Recorder's Office, Franklin County, Ohio and bound and described as follows:

Beginning for reference at an iron pin found on the North Right of Way line of East Fifth Avenue 30.00' left of Station 5+04.30 (E corner to lots 92 and 93); thence with said North Right of Way line South 86 degrees 40 minutes 00 seconds East 307.77 feet to a point on the existing right of way line 30.00 feet left of STA 8+10.07; being the principal place of

beginning for the tract herein described;

Thence with the proposed right of way line North 48 degrees 20 minutes 00 seconds East 25.46 feet to a point on the West right of way line of Brentnell Avenue 48.00 feet left of STA 8+30.07; thence South 03 degrees 20 minutes 00 seconds West 18.00 feet to a point on the North right of way line of Fifth Avenue 30.00 left of STA 8+30.07; thence with said right of way line N. 86 degrees 40 minutes 00 seconds West 18.00 feet to the place of beginning containing 152 square feet or 0.00372 acres, more or less.

The above description is prepared from Survey conducted by Columbus Engineering Consultants, inc. in December 1992, calculated and written by Richard D. Marang, P. S. 5582.

Parcel II (010-047757-00):

Situated in the State of Ohio, County of Franklin and City of Columbus:

Being Lots Numbered One Hundred Three (103), One Hundred Four (104), One Hundred Five (105), One Hundred Six (106), One Hundred Seven (107), One Hundred Eight (108), One Hundred Nine (109), One Hundred Ten (110), One Hundred Eleven (111), and One Hundred Twelve (112), of H. H. Parson's Subdivision of Lots or Parcel Numbers 36 and 27 of the Theodore Leonard's Heirs Subdivisions, as the same are numbered and delineated upon the recorded plat thereof, of record in Plat Book 7 Page 238, Recorder's Office, Franklin County, Ohio.

Parcel III (101-055122-00)

Tract I:

Situated in the State of Ohio, County of Franklin and City of Columbus:

Being Lots Numbered One Hundred Thirteen (113) and One Hundred Fourteen (114), of H. H. Parson's Subdivision of Lots of Parcel Numbers 36 and 27 of the Theodore Leonard's Heirs Subdivisions, as the same are numbered and delineated upon the recorded plat thereof, of record in Plat Book 7 Page 238, Recorder's Office, Franklin County, Ohio.

Tract II:

Situated in the State of Ohio, County of Franklin and City of Columbus:

Being Lots Numbered One Hundred Fifteen (115) except four (4) feet evenly off the entire west side of the H. H. Parson's Subdivision of Lots of Parcel Numbers 36 and 27 of the Theodore Leonard's Heirs Subdivisions, as the same are numbered and delineated upon the recorded plat thereof, of record in Plat Book 7 Page 238 and 239, Recorder's Office, Franklin County, Ohio.

Parcel Nos. 010-027403, 010-047757 & 010-055122
Known as: 2006 E. 5th Ave., Columbus, OH 43219.

SECTION 2. That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for those uses permitted in the AR-12, Apartment Residential District.

SECTION 3. That this ordinance is further conditioned on the subject site being developed in general conformance with the plan titled, "**5TH AVE. DEVELOPMENT**," signed by Joaquin Serantes, Attorney for the Applicant, and dated September 20, 2022. The plan may be slightly adjusted to reflect engineering, topographical, or other site data developed at the time of the development and when engineering and architectural drawings are completed. Any slight adjustment to the plan shall be reviewed and may be approved by the Director of the Department of Building and Zoning Services, or a designee, upon submission of the appropriate data regarding the proposed adjustment.

SECTION 4. That this ordinance is further conditioned on the applicant obtaining all applicable permits and a Certificate of Occupancy for the proposed use.

SECTION 5. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.