



## Legislation Details (With Text)

**File #:** 0361-2023      **Version:** 1

**Type:** Ordinance      **Status:** Passed

**File created:** 1/26/2023      **In control:** Zoning Committee

**On agenda:** 2/13/2023      **Final action:** 2/15/2023

**Title:** To grant a Variance from the provisions of Sections 3312.21(D), Landscaping and screening; 3312.27, Parking setback line; 3312.49 Minimum numbers of parking spaces required; and 3333.18, Building lines, of the Columbus City Codes; for the property located at 2937 COURTRIGHT RD. (43232), to permit reduced development standards for an apartment building in the L-AR-3, Apartment Residential District (Council Variance #CV22-068).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD#0361-2023\_Attachments, 2. ORD#0361-2023\_Labels

| Date      | Ver. | Action By             | Action   | Result |
|-----------|------|-----------------------|--|--------|
| 2/15/2023 | 1    | CITY CLERK            | Attest   |        |
| 2/14/2023 | 1    | MAYOR                 | Signed   |        |
| 2/13/2023 | 1    | Zoning Committee      | Accept entire staff report into evidence as an exhibit | Pass   |
| 2/13/2023 | 1    | Zoning Committee      | Adopt the findings of staff as the findings of Council | Pass   |
| 2/13/2023 | 1    | Zoning Committee      | Approved   | Pass   |
| 2/13/2023 | 1    | COUNCIL PRESIDENT     | Signed   |        |
| 2/6/2023  | 1    | Columbus City Council | Read for the First Time                                |        |

**Council Variance Application: CV22-068**

**APPLICANT:** Hope and Heart Property Solutions; c/o Jeffrey L. Brown, Atty.; 37 West Broad Street, Suite 460; Columbus, OH 43215.

**PROPOSED USE:** Multi-unit residential development.

**MIDEAST AREA COMMISSION RECOMMENDATION:** Approval.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The applicant has received a recommendation of approval from Staff and from the Development Commission for a concurrent rezoning request (Ordinance #0360-2023; Z22-055) to the L-AR-3, Apartment Residential District and PUD-8, Planned Unit Development District to permit single- and multi-unit residential development. The requested Council variance is only applicable to the 1.30± acre L-AR-3 district, which will permit a 37-unit apartment building. Variances for reduced parking lot landscaping and screening, reduced parking and building setbacks, and a parking space reduction from 56 required to 40 provided spaces are included in the request. Staff supports the requested variances as the design features of the proposed development are consistent with the *Columbus Citywide Planning Policies (C2P2) Design Guidelines (2018)*, and the inclusion of additional bicycle parking with the L-AR-3 subarea will help mitigate the reduction in required parking.

To grant a Variance from the provisions of Sections 3312.21(D), Landscaping and screening; 3312.27, Parking setback line; 3312.49 Minimum numbers of parking spaces required; and 3333.18, Building lines, of the Columbus City Codes; for the property located at **2937 COURTRIGHT RD. (43232)**, to permit reduced development standards for an apartment building in the L-AR-3, Apartment Residential District (Council Variance #CV22-068).

**WHEREAS**, by application #CV22-068, the owner of property at **2937 COURTRIGHT RD. (43232)**, is requesting a Council variance to permit reduced development standards for an apartment building in the L-AR-3, Apartment Residential District; and

**WHEREAS**, Section 3312.21(D), Landscaping and screening, requires that headlight screening be provided along public streets within a landscaped area at least four feet in width, while the applicant proposes a landscaped area of three feet in width along the western property line, and no headlight screening along the southern property line; and

**WHEREAS**, Section 3312.27, Parking setback line, requires a parking setback line of 25 feet from the Askins Road frontage, while the applicant proposes a reduced parking setback line of seven feet from Askins Road frontage.

**WHEREAS**, Section 3312.49, Minimum numbers of parking spaces required, requires 1.5 parking spaces per dwelling unit, or 56 spaces for a 37-unit apartment building, while the applicant proposes a total of 40 provided spaces; and

**WHEREAS**, Section 3333.18, Building lines, requires a building setback line of 40 feet along the Askins Road frontage, while the applicant proposes a reduced minimum building setback line of 25 feet along the Askins Road frontage; and

**WHEREAS**, the Mideast Area Commission recommends approval; and

**WHEREAS**, the City Departments recommend approval because the proposed design features of the site and inclusion of additional bicycle parking to mitigate the parking space reduction are consistent with C2P2 Design Guidelines; 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 **2937 COURTRIGHT RD. (43232)**, 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 Sections 3312.21(D), Landscaping and screening; 3312.27, Parking setback line; 3312.49 Minimum numbers of parking spaces required; and 3333.18, Building lines, of the Columbus City Codes, is hereby granted for the property located at **2937 COURTRIGHT RD. (43232)**, insofar as said sections prohibit reduced headlight screening from four feet to three feet in width along the western property line, and no headlight screening along the southern property line; a reduced parking setback from 25 feet to seven feet along the Askins Road frontage; a reduction in the required number of parking spaces from 56 spaces to 40 spaces; and a reduced building setback line from 40 feet to 25 feet along the Askins Road frontage; said property being more particularly described as follows:

**2937 COURTRIGHT RD. (43232)**, being 1.30± acres located on the west side of Courtright Road, 220± feet south of the Askins Road northern terminus, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin, City of Columbus, being a part of that 4.170-acre tract as described in a deed to Ernest and Sandra Jean Jackson, of record in Official Record Volume 26972, Page A19, all references herein being to those of the Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

Beginning at the northwesterly corner of said 4.170-acre tract and at an angle point in the perimeter of Village at Courtright Square, a subdivision of record in Plat Book 105, Pages 19-22;

Thence South 85°02'05" East, along the northerly line of said 4.170-acre tract, a distance of 84.04 feet to an angle point;

Thence South 85°34'50" East, continuing along said northerly line, a distance of 212.60 feet to a point at the intersection of the centerline of Askins Road at the terminus thereof;

Thence into and through said 4.170-acre tract the following courses:

1. With the arc of a curve to the right, having a radius of 860.75 feet, a central angle of 15°47'04", an arc length of 237.13 feet, the chord of which bears South 32°13'44" West, a chord distance of 236.38 feet to the point of tangency;
2. South 40°07'16" West, a distance of 86.89 feet to a point;
3. North 49°52'44" West, a distance of 170.23 feet to a point in the westerly line of said 4.170-acre tract;

Thence North 5°14'16" East, along said westerly line, a distance of 181.13 feet to the place of beginning and containing 1.304 acres of land.

Bearing herein are based on the Ohio State Plane Coordinate System, South Zone.

This description was prepared by IBI Group, Columbus, Ohio based on a field survey of the premises and available records of the Recorder's and Auditor's Offices.

Parcel No: 530-158227

Known as address: 2937 Courtright Road, Columbus, OH 43232

**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 L-AR-3, Limited Apartment Residential District, subject to Ordinance #0360-2023 (Z22-055).

**SECTION 3.** That this ordinance is further conditioned on the applicant obtaining all applicable permits and a Certificate of Occupancy for the proposed use.

**SECTION 4.** That this ordinance shall take effect and be in force from and after the earliest period allowed by law.