



## Legislation Details (With Text)

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|-----------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|------------------|
| <b>File #:</b>        | 1389-2019                                                                                                                                                                                                                                                                                                                           | <b>Version:</b>      | 1                |
| <b>Type:</b>          | Ordinance                                                                                                                                                                                                                                                                                                                           | <b>Status:</b>       | Passed           |
| <b>File created:</b>  | 5/13/2019                                                                                                                                                                                                                                                                                                                           | <b>In control:</b>   | Zoning Committee |
| <b>On agenda:</b>     | 6/3/2019                                                                                                                                                                                                                                                                                                                            | <b>Final action:</b> | 6/5/2019         |
| <b>Title:</b>         | To grant a Variance from the provisions of Section 3333.18, Building lines, of the Columbus City Codes; for the property located at 7230 EAST BROAD STREET (43213), to permit a multi-unit residential development with a reduced building line in the L-AR-1, Limited Apartment Residential District (Council Variance #CV19-025). |                      |                  |
| <b>Sponsors:</b>      |                                                                                                                                                                                                                                                                                                                                     |                      |                  |
| <b>Indexes:</b>       |                                                                                                                                                                                                                                                                                                                                     |                      |                  |
| <b>Code sections:</b> |                                                                                                                                                                                                                                                                                                                                     |                      |                  |
| <b>Attachments:</b>   | 1. ORD1389-2019.Attachments, 2. ORD1389-2019.Labels                                                                                                                                                                                                                                                                                 |                      |                  |

| Date     | Ver. | Action By         | Action                | Result |
|----------|------|-------------------|-----------------------|--------|
| 6/5/2019 | 1    | CITY CLERK        | Attest                |        |
| 6/4/2019 | 1    | ACTING MAYOR      | Signed                |        |
| 6/3/2019 | 1    | COUNCIL PRESIDENT | Signed                |        |
| 6/3/2019 | 1    | Zoning Committee  | Waive the 2nd Reading | Pass   |
| 6/3/2019 | 1    | Zoning Committee  | Approved              | Pass   |

### Council Variance Application: CV19-025

**APPLICANT:** Metro Development LLC; c/o Jeffrey L. Brown, Atty.; 37 West Broad Street, Suite 460; Columbus, OH 43215.

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

**FAR EAST 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 request to the L-AR-1, Limited Apartment Residential District (Ordinance # 1388-2019; Z18-080) to allow a multi-unit residential development. A variance is requested to reduce the building line from 60 feet to 50 feet. Staff supports the variance as the buildings are moved closer to East Broad Street to preserve additional wooded area to the north of the site and to achieve design principles recommended by the *Columbus Citywide Planning Policies (C2P2) Design Guidelines*

To grant a Variance from the provisions of Section 3333.18, Building lines, of the Columbus City Codes; for the property located at **7230 EAST BROAD STREET (43213)**, to permit a multi-unit residential development with a reduced building line in the L-AR-1, Limited Apartment Residential District (Council Variance #CV19-025).

**WHEREAS**, by application #CV19-025, the owner of property at **7230 EAST BROAD STREET (43213)**, is requesting

a Council variance to permit a multi-unit residential development with a reduced building line in the L-AR-1, Limited Apartment Residential District; and

**WHEREAS**, Section 3333.18, Building lines, requires a building line of no less than 60 feet along East Broad Street, while the applicant proposes a reduced building line of 50 feet;

**WHEREAS**, the Far East Area Commission recommends approval; and

**WHEREAS**, the City Departments recommend approval because the requested variance will allow multi-unit residential development with desirable site design elements which mitigate the impact on adjacent lower density residential uses and achieve design principles recommended by the *Columbus Citywide Planning Policies* (C2P2) Design Guidelines; and

**WHEREAS**, this ordinance requires separate submission for all applicable permits and Certificates of Occupancy for the proposed development; 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 **7230 EAST BROAD STREET (43213)**, 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 **7230 EAST BROAD STREET (43213)**, insofar as said section prohibits a multi-unit residential development with a reduced building line from 60 feet to 50 feet; said property being more particularly described as follows:

**7230 EAST BROAD STREET (43213)**, being 8.8± acres located on the north side of East Broad Street, 750± feet east of Reynoldsburg-New Albany Road, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin, City of Columbus, being part of Section 4, Township 1, Range 16, United States Military Lands, being a portion of the land conveyed to Giacomo D'Eramo, Mario D'Eramo and Loreto A. D'Eramo as recorded in Deed Volume 5963, Page H01 of Franklin County Recorder's records, and being more particularly bounded and described as follows:

Beginning at the intersection of the centerline of Reynoldsburg-New Albany Road (width varies) with the centerline of E. Broad Street (S.R. 16 - width varies).

Thence N 81°49'44" E, along the centerline of E. Broad Street, a distance of 726.21' to a point thereon being the southeast corner of land conveyed to IFIF LLC as recorded in Instrument #201506260086128 of Franklin County Recorder's records;

Thence N 03°44'07" E, along the east line of said IFIF LLC land, a distance of 98.11' to a concrete monument found and held on the north right-of-way limits of E. Broad Street and being the TRUE PLACE OF BEGINNING for the parcel described herein;

Thence continuing N 03°44'07" E, along the east line of said IFIF LLC land, then to and along a line of McNeill Farms East Condominium Third Amendment as recorded in Condominium Plat Volume 61, Page 93 of Franklin County

Recorder's records, a distance of 702.04' to a corner of said McNeill Farms East Condominium Third Amendment (witness a ½" rebar found 0.16' south);

Thence N 81°49'44" E, along a south line of said McNeill Farms East Condominium Third Amendment, then to and along the south lines of McNeill Farms East Condominium Second Amendment as recorded in Condominium Plat Volume 61, Page 52 and McNeill Farms East Condominium as recorded in Condominium Plat Volume 60, Page 70 of Franklin County Recorder's records, a distance of 556.23' to a ½" rebar found and held marking the northwest corner of land conveyed to Robert L. Althoff and Lynn Althoff as recorded in Deed Volume 26184, Page 109 of Franklin County Recorder's records;

Thence S 03°42' 18" W, along the West line of said Althoff land, a distance of 708.09' to a concrete monument found and held on the north right-of-way limits of E. Broad Street;

Thence S 82°26'53" W, along the north right-of-way limits of E. Broad Street, a distance of 555.38' to the TRUE PLACE OF BEGINNING and containing 8.813 acres of land as surveyed by James P. Yurkschatt (P.S. 7809) of Campbell and Associates, Inc. on March 10, 2017 and described on November 28, 2018.

The basis of bearings for this survey is Grid North of the Ohio State Plane Coordinate System, South Zone, NAD83 (2011).

**SECTION 2.** That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for a multi-unit residential development or those uses permitted in the L-AR-1, Limited Apartment Residential District in accordance with Ordinance # 1388-2019 (Z18-080).

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

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