



Legislation Details (With Text)

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Type: Ordinance **Status:** Passed

File created: 7/6/2017 **In control:** Zoning Committee

On agenda: 7/31/2017 **Final action:** 8/3/2017

Title: To grant a Variance from the provisions of Section 3333.255, Perimeter yard, of the Columbus City Codes; for the property located at 2585 WALCUTT ROAD (43026), to permit a reduced perimeter yard for an apartment complex in the L-AR-1, Limited Apartment Residential District (Council Variance # CV16-057).

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD1885-2017.Attachments, 2. ORD1885-2017.Labels

Date	Ver.	Action By	Action	Result
8/3/2017	1	ACTING CITY CLERK	Attest	
8/2/2017	1	MAYOR	Signed	
7/31/2017	1	COUNCIL PRESIDENT	Signed	
7/31/2017	1	Zoning Committee	Approved	Pass
7/24/2017	1	Columbus City Council	Read for the First Time	

Council Variance Application: CV16-057

APPLICANT: Preferred Real Estate Investments, LLC; c/o Jill S. Tangeman, Esq; 52 East Gay Street; Columbus, OH 43215.

PROPOSED USE: Multi-unit residential development.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The applicant has received a recommendation of disapproval from Staff and approval from the Development Commission for a concurrent rezoning (Ordinance #1884-2017; Z16-011) to the L-AR-1, Limited Apartment Residential District to allow a 128-unit apartment complex. The requested variance will accommodate a reduced perimeter yard from 25 feet to 20 feet along the southern property line. Staff finds the requested variance to be supportable as it will allow flexibility in the site design, and the reduced perimeter yard borders commercial businesses.

To grant a Variance from the provisions of Section 3333.255, Perimeter yard, of the Columbus City Codes; for the property located at **2585 WALCUTT ROAD (43026)**, to permit a reduced perimeter yard for an apartment complex in the L-AR-1, Limited Apartment Residential District (Council Variance # CV16-057).

WHEREAS, by application # CV16-057, the owner of property at **2585 WALCUTT ROAD (43026)**, is requesting a Council variance to permit a reduced perimeter yard along the south property line for an apartment complex in the L-AR-1, Limited Apartment Residential District; and

WHEREAS, 3333.255, Perimeter yard, requires a minimum perimeter yard of 25 feet, while the applicant proposes a perimeter yard of not less than 20 feet along the southern property line; and

WHEREAS, City Departments recommend approval of the requested variance because it will allow flexibility in the site design, and the reduced perimeter yard borders commercial businesses; and

WHEREAS, said ordinance requires separate submission for all applicable permits and Certificates 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 **2585 WALCUTT ROAD (43026)**, in using said property as desired; and

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

SECTION 1. That a variance from the provisions of Sections 3333.255, Perimeter yard, of the Columbus City Codes, is hereby granted for the property located at **2585 WALCUTT ROAD (43026)**, insofar as said section prohibits a reduced perimeter yard from 25 feet to 20 feet along the south property line; said property being more particularly described as follows:

2585 WALCUTT ROAD (43026), being 6.78± acres located on the west side of Walcutt Road, 135± feet south of Hilliard Oaks Court, and being more particularly described as follows:

Tract I

Situated in the County of Franklin, in the State of Ohio, and in the City of Columbus and bounded and described as follows:

Being in Lot No. 3 of the Subdivision of Survey No. 3446 of the Virginia Military District, beginning at a point in the centerline of Norwich Township Middle Improvement of Walcutt Road, said point being south 450 feet from the northeast corner of said Lot 3: thence west parallel to the north line of said Lot No. 3 to an iron pipe 693.1 feet distant; thence in a southerly direction parallel to the east line of said lot 112.5 feet to an iron pipe; thence in an easterly direction parallel to the north line of said Lot 3 to a point in the center of Walcutt Road 693.1 feet; thence in a northerly direction along the center of Walcutt Road, which is the east side of Lot 3, to the place of beginning, 112.5 feet distance, containing 1.789 acres, more or less.

Property Address: 2595 Walcutt Road, Hilliard, OH 43026

Parcel No. 560-158115-00

Tract II

Situated in the County of Franklin, in the State of Ohio, and in the City of Columbus and bounded and described as follows:

Being a part of Lot No. 3 of the Subdivision of Survey No. 3446 of the Virginia Military District, beginning at a point in the centerline of Norwich Township Middle Improvement of Walcutt Road, said point being South 562.5 feet from the northeast corner of said Lot No. 3; thence west, parallel to the north line of said Lot No. 3, to an iron pipe 693.1 feet

distant; thence in a southerly direction parallel to the east line of said lot 112.5 feet to an iron pipe; thence in an easterly direction, parallel to the north line of said Lot No. 3 to a point in the center of Walcutt Road, 693.1 feet thence in a northerly direction along the center of Walcutt Road which is the east side of Lot No. 3, to the place of beginning 112.5 feet distant, containing 1.789 acres more or less.

Property Address: 2585 Walcutt Road/Hilliard, Ohio 43026
Parcel No. 560-158117-00

Tract III

Situated in the County of Franklin, Township of Norwich and State of Ohio:
Being a part of Lot Number Three (3) of the Subdivision of Survey No. 3446 of the Virginia Military District.

BEGINNING at a point in the centerline of Norwich Township Middle Improvement or Walcutt Road, said point being S. 675 feet from the northwest corner of said Lot No. 3; thence west, parallel to the north line of said Lot No. 3, to an iron pipe 693.1 feet distant; thence in a southerly direction parallel to the east line of said lot 112.5 feet to an iron pipe; thence in an easterly direction, parallel to the north line of said Lot No. 3 to a point in the center of Walcutt Road, 693.1 feet; thence in a northerly direction along the center of Walcutt Road which is the east side of Lot No. 3, to the place of beginning 112.5 feet distant, CONTAINING 1.789 ACRES, more or less.

Situated in the County of Franklin, Township of Norwich and State of Ohio:
Being a part of Lot Number Three (3) of the Subdivision of Survey No. 3446 of the Virginia Military District.

BEGINNING at a point in the centerline of Walcutt Road, said point being S. 787.5 feet from the northeast corner of said Lot No. 3; thence west, parallel to the north line of said Lot No. 3, to an iron pipe 693.1 feet distant; thence in a southerly direction parallel to the east line of said lot 112.5 feet to an iron pipe; thence in an easterly direction, parallel to the north line of said Lot No. 3 to a point in the center of Walcutt Road, 693.1 feet; thence in a northerly direction along the center of Walcutt Road which is the east side of Lot No. 3, to the place of beginning 112.5 feet distant. CONTAINING 1.791 ACRES, more or less.

EXCEPTING THEREFROM THE FOLLOWING:

Situated in the State of Ohio, County of Franklin, City of Columbus, located in Part of Lot 3 of the Subdivision of Virginia Military Survey No. 3446, being a forty (40) foot strip of land off the entire easterly side of both the 1.791 acre tract last described in Official Record 14081, Page I 16, and the 1.789 acres tract last described in Official Record 14081, Page I 17, to Dennis H. McAndrew, Et Al. (record references to these of the Recorder's Office, Franklin County, Ohio), and being more particularly described as follows:

Beginning at a point in the center line of Walcutt Road, located South 08 deg. 30' 00" East, along said center line, 675 feet from the northeast corner of said Lot 3, said point of beginning being the northeast corner of said 1.789 acre tract;

Thence southerly along said center line of Walcutt Road, being the easterly line of said 1.789 & 1.791 acre tracts, South 08 deg. 30' 00" East (passing the easterly corner common to said 1.789 & 1.791 acre tracts at 112.50 feet), a distance of 225.00 feet to the southeasterly corner of said 1.791 acre tract;

Thence westerly along the southerly line of said 1.791 acre tract, South 81 deg 00' 00" West, 40.00 feet;

Thence northerly through said 1.791 & 1.789 acre tracts, being along a line 40.00 feet westerly of, as measured perpendicular to and parallel with, the center line of said Walcutt Road, North 08 deg. 30' 00" West, (passing the line common to said 1.791 & 1.789 acre tracts at 112.50 feet) a distance of 225.00 feet to a point in the northerly line of said 1.789 acre tract;

Thence easterly along the northerly line of said 1.789 acre tract, North 81 deg. 00' 00" East, 40.00 feet to the point of beginning, containing 0.2066 acre of land, more or less, as described from existing records, in June of 1990, by Carl E.

Turner, Jr., Registered Land Surveyor No. 6702.

Subject however to all legal rights-of way, if any, of previous record.

The bearings are referenced to that basis of bearings used for the deed description to the adjoining property to the south (see O.R. 8081, Pg. H 15).

Parcel #560-158108

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 as permitted by the L-AR-1, Limited Apartment Residential District specified by Ordinance #1884-2017 (Z16-011).

SECTION 3. That this ordinance is further conditioned on the applicant obtaining all applicable permits and Certificates 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.