



## Legislation Details (With Text)

**File #:** 0404-2014      **Version:** 1

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

**File created:** 2/11/2014      **In control:** Zoning Committee

**On agenda:** 3/10/2014      **Final action:** 3/13/2014

**Title:** To grant a Variance from the provisions of Sections 3332.039, R-4, Residential District; and 3372.544, Maximum floor area, of the Columbus City codes; for the property located at 1492 INDIANOLA AVENUE (43201), to permit a maximum of ten apartment units within an existing apartment building with increased floor area ratio in the R-4, Residential District (Council Variance # CV13-026).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD0404-2014Attachments, 2. Notice Of Public Hearing - Council Mtg20140303

Date	Ver.	Action By	Action	Result
3/13/2014	1	CITY CLERK	Attest	
3/12/2014	1	MAYOR	Signed	
3/10/2014	1	COUNCIL PRESIDENT	Signed	
3/10/2014	1	Zoning Committee	Taken from the Table	Pass
3/10/2014	1	Zoning Committee	Approved	Pass
3/3/2014	1	Zoning Committee	Tabled to Certain Date	Pass
2/24/2014	1	Columbus City Council	Read for the First Time	

**Council Variance Application: CV13-026**

**APPLICANT:** Sean Ash, Peak Property Group; c/o Juliet Bullock, Architect; 1182 Wyandotte Road; Columbus, OH 43212.

**PROPOSED USE:** Ten-unit apartment building.

**UNIVERSITY AREA COMMISSION RECOMMENDATION:** Approval.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The requested Council variance will allow a ten-unit apartment building in the R-4, Residential District. The building was originally constructed as a nine-unit apartment building prior to the establishment of the R-4 District. The applicant proposes converting an internal storage area into a tenth unit. A variance for increased floor area ratio is included in the request. The site lies within the boundaries of the *University Neighborhoods Revitalization Plan* (1996), which recommends lower density residential development for this location. The existing apartment use is consistent with the surrounding land use pattern, and the addition of one unit will have no detrimental effect

on the surrounding neighborhood. Staff is supportive of this request which will not add an incompatible use to the neighborhood.

To grant a Variance from the provisions of Sections 3332.039, R-4, Residential District; and 3372.544, Maximum floor area, of the Columbus City codes; for the property located at **1492 INDIANOLA AVENUE (43201)**, to permit a maximum of ten apartment units within an existing apartment building with increased floor area ratio in the R-4, Residential District (Council Variance # CV13-026).

**WHEREAS**, by application No. CV13-026, the owner of property at **1492 INDIANOLA AVENUE (43201)**, is requesting a Council Variance to permit a maximum of ten apartment units within an existing building with an increased floor area ratio in the R-4, Residential District; and

**WHEREAS**, Section 3333.039, R-4, Residential District, allows a maximum of four units in one dwelling, while the applicant proposes to convert an interior storage area within an existing nine-unit apartment building to create a ten-unit apartment building; and

**WHEREAS**, Section 3372.544, Maximum floor area, requires a maximum calculated floor area ratio (F.A.R) of not greater than 0.40, while the applicant proposes to maintain a floor area ratio of 0.72; and

**WHEREAS**, The University Area Commission recommends approval; and

**WHEREAS**, City Departments recommend approval because the existing apartment use is consistent with the surrounding land use pattern, and the addition of one unit will have no detrimental effect on the surrounding neighborhood. Staff is supportive of this request which will not add an incompatible use to the neighborhood; and

**WHEREAS**, said 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 roads, 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 **1492 INDIANOLA AVENUE (43201)**, 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 3332.039, R-4, Residential District; and 3372.544, Maximum floor area, of the Columbus City Codes, is hereby granted for the property located at **1492 INDIANOLA AVENUE (43201)**, insofar as said sections prohibit a ten-unit apartment building, with an increased floor area ratio of 0.72 where 0.40 is required; said property being more particularly described as follows:

**1492 INDIANOLA AVENUE (43201)**, being 0.21± acres located at the southeast corner of Indianola and East Ninth Avenues, and being more particularly described as follows:

**DESCRIPTION OF A 0.209 ACRE TRACT  
LYING EAST OF INDIANOLA AVENUE  
AND SOUTH OF NINTH AVENUE**

Situated in the State of Ohio, County of Franklin, City of Columbus, being all of Lots 9 and 10 of EVANS & CHEETHAM'S AMENDED PLAT, of record in Plat Book 3, Page 76, and being the entire tract of land conveyed to Bash 3, LLC, of record in Instrument Number 201301030001210, records of the Recorder's Office, Franklin County, Ohio and being bounded and more particularly described as follows:

Beginning at an iron pin set at the intersection of the easterly right-of-way line of Indianola Avenue (60 feet wide) and the southerly right-of-way line of Ninth Avenue (60.72 feet wide), being the northwesterly corner of said Lot 9;

Thence South 86° 55' 25" East, a distance of 150.00 feet, along the northerly line of said Lot 9, and the southerly right-of-way line of said Ninth Avenue, to an iron pin set at the northeasterly corner of said Lot 9, being the intersection of the

southerly right-of-way line of said Ninth Avenue and the westerly right-of-way line of a 20 feet wide alley;

Thence South  $03^{\circ} 13' 39''$  West, a distance of 60.64 feet, along the easterly line of said Lots 9 and 10, and the westerly right-of-way line of said 20 feet wide alley, to an iron pin set at the easterly common corner of said Lot 10 and Lot 6 of ANNE DENNISON'S SUBDIVISION, of record in Plat Book 7, Page 25;

Thence North  $86^{\circ} 55' 25''$  West, a distance of 150.00 feet, along the line common to said Lots 10 and 6, to an iron pin set in at the westerly common corner thereof, being in the easterly right-of-way line of said Indianola Avenue;

Thence North  $03^{\circ} 13' 39''$  East, a distance of 60.64 feet, along the westerly lines of said Lots 10 and 9, and the easterly right-of-way line of said Indianola Avenue, to the Point of Beginning, containing 0.209 acres, more or less, and being subject to all easements, restrictions and rights-of-way of record.

The bearings in the above description are based on the assumed bearing of South  $86^{\circ} 55' 25''$  East for the Southerly right-of-way line of Ninth Avenue, and are intended to denote angles only.

All iron pins set are 3/4 inch iron pipes, 30 inches in length, with a red plastic cap stamped with the name "Landmark Survey".

The above description is based on an actual field survey performed in February of 2013.

Parcel Number 010-022484

Property Address: 1492 Indianola Avenue, Columbus, Ohio 43201

**SECTION 2.** That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for a ten-unit apartment building.

**SECTION 3.** That this ordinance is further conditioned on general conformance with the site plan titled, "**1492 INDIANOLA - PROPOSED SITE PLAN and PROPOSED NORTH ELEVATION**," drawn and signed by Juliet A. Bullock, Architect for the Applicant, and dated January 31, 2014. The Subject Site shall be developed in accordance with the site plan and elevation. The plans may be slightly adjusted to reflect engineering, topographical or other site data developed at the time of development or engineering plan completion. Any slight adjustment to the plans 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 upon 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.