



## Legislation Details (With Text)

**File #:** 2025-2013      **Version:** 1

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

**File created:** 8/19/2013      **In control:** Zoning Committee

**On agenda:** 9/9/2013      **Final action:** 9/13/2013

**Title:** To grant a Variance from the provisions of Sections 3333.02, AR-12, ARLD and AR-1, Apartment residential district use; 3312.27(A)(2), Parking setback line; 3312.49, Minimum numbers of parking spaces required; 3333.18(B), Building lines; and 3333.23(a), Minimum side yard permitted, of the Columbus City codes; for the property located at 1601 SULLIVANT AVENUE (43223), being 0.25± acres located at the southeast corner of Sullivant and Ryan Avenues, to permit a shared living facility with reduced parking and setbacks in the AR-1, Apartment Residential District (Council Variance # CV13-029).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD2025-2013Attachments, 2. Notice Of Public Hearing - Council Mtg20130909

Date	Ver.	Action By	Action	Result
9/13/2013	1	CITY CLERK	Attest	
9/13/2013	1	MAYOR	Signed	
9/9/2013	1	COUNCIL PRESIDENT	Signed	
9/9/2013	1	Zoning Committee	Waive the 2nd Reading	Pass
9/9/2013	1	Zoning Committee	Approved	Pass

**Council Variance Application: CV13-029**

**APPLICANT:** Refuge, Inc.; c/o Steven Hermiller, P.E.; Mannik & Smith Group, Inc.; 815 Grandview Avenue, Suite 650; Columbus, OH 43215.

**PROPOSED USE:** Shared living facility.

**GREATER HILLTOP AREA COMMISSION RECOMMENDATION:** Approval.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The site is zoned AR-1, Apartment Residential District, and is developed with a vacant twelve-unit apartment building. The requested Council variance will allow a shared living facility for a maximum of 26 residents (24 residents with 2 on-site resident managers). The proposal also includes a reduction in the minimum number of parking spaces which is justified because the residents will not have cars. Variances for existing setbacks are also included. The site is located within the planning area of *The Greater Hilltop Plan Amendment* (2010), which recommends medium-density mixed-residential uses for this location. Shared living facilities, which are for six or more residents, must be located within the AR-3, AR-4 or AR-O, Apartment Residential Districts. Since the twelve-unit apartment building could possibly house more than the proposed 26 residents, Staff supports the proposed use, noting there is no impact on the existing density. The applicant, The Refuge, Inc., is a faith-based ministry that currently operates three properties in Columbus for men who are 18 years and older struggling with various addictions, and provides residents a home and a network of support that promotes recovery, health, and responsible living. The requested variance will allow the consolidation of the applicant's properties into one, which will improve the

efficiency of their services and programming. No recommendation is being made on the hardship aspect of this request.

To grant a Variance from the provisions of Sections 3333.02, AR-12, ARLD and AR-1, Apartment residential district use; 3312.27(A)(2), Parking setback line; 3312.49, Minimum numbers of parking spaces required; 3333.18(B), Building lines; and 3333.23(a), Minimum side yard permitted, of the Columbus City codes; for the property located at **1601 SULLIVANT AVENUE (43223)**, being 0.25± acres located at the southeast corner of Sullivant and Ryan Avenues, to permit a shared living facility with reduced parking and setbacks in the AR-1, Apartment Residential District (Council Variance # CV13-029).

**WHEREAS**, by application #CV13-029, the owner of the property at **1601 SULLIVANT AVENUE (43223)**, is requesting a Variance to permit a shared living facility with reduced parking and setbacks in the AR-1, Apartment Residential District; and

**WHEREAS**, Section 3333.02, AR-12, ARLD and AR-1, Apartment residential district use, prohibits shared living facilities, while the applicant proposes a shared living facility for twenty-six (26) occupants within an existing twelve-unit apartment building; and

**WHEREAS**, Section 3312.27(A)(2), Parking setback line, requires a parking setback line of twenty-five (25) feet along Ryan Avenue, while the applicant proposes to maintain the existing setback of approximately twenty (20) feet along Ryan Avenue; and

**WHEREAS**, Section 3312.49, Minimum numbers of parking spaces required, requires one parking space per 400 square feet, or sixteen (16) parking spaces, while the applicant proposes to maintain twelve (12) parking spaces; and

**WHEREAS**, Section 3333.18(B), Building lines, requires buildings to have a setback of not less than twenty-five (25) feet from the right-of-way, while the applicant proposes to maintain the existing setbacks of approximately eighteen (18) feet along Sullivant Avenue, and nine (9) feet along Ryan Avenue; and

**WHEREAS**, Section 3333.23(a), Minimum side yard permitted, requires a side yard of no less than five (5) feet, while the applicant proposes to maintain the existing side yard of approximately three (3) feet along the east property line; and

**WHEREAS**, this variance will allow a shared living facility for twenty-six (26) occupants with reduced parking and setbacks in the AR-1, Apartment Residential District; and

**WHEREAS**, the Greater Hilltop Area Commission recommends approval; and

**WHEREAS**, City Departments recommend approval because the requested variance will allow a shared living facility that provides residents a home and a network of support that promotes recovery, health, and responsible living. Furthermore, the existing twelve-unit apartment building could house the same number of residents or greater, negating an impact on the existing density; 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 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 owner of the property located at **1601 SULLIVANT AVENUE (43223)**, in using said property as desired; and now, therefore:

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

**SECTION 1.** That a variance from the provisions of Sections 3333.02, AR-12, ARLD and AR-1, Apartment residential district use; 3312.27(A)(2), Parking setback line; 3312.49, Minimum numbers of parking spaces required; 3333.18(B), Building lines; and 3333.23(a), Minimum side yard permitted, of the Columbus City Codes; is hereby granted for for the property located at **1601 SULLIVANT AVENUE (43223)**, insofar as said sections prohibit a shared living facility for twenty-six (26) occupants in the AR-1, Apartment Residential District, with a reduced parking setback line from twenty-five (25) to twenty (20) feet, a parking space reduction from sixteen (16) total required spaces to twelve (12) spaces, reduced building lines from twenty-five (25) to eighteen (18) feet along Sullivant Avenue and nine (9) feet along Ryan Avenue, and a reduced side yard along the east property line from five (5) feet to three (3) feet); said property being more particularly described as follows:

**1601 SULLIVANT AVENUE (43223)**, being 0.25± acres located at the southeast corner of Sullivant and Ryan Avenues, and being more particularly described as follows:

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

Being Lot Number (1) and Two (2), in SULLIVANT HILL PLACE ADDITION, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 5, page 241, Recorder's Office, Franklin County, Ohio.

Property Address: 1601 Sullivant Avenue, Columbus, Ohio 43223

Parcel Number: 010-055344

**SECTION 2.** That this ordinance is conditioned on and shall remain in effect only for so long as said property is used as a shared living facility for up to twenty-six (26) total occupants including two (2) resident managers, or those uses permitted in the AR-1, Apartment Residential District.

**SECTION 3.** That this ordinance is further conditioned upon 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.