



## Legislation Details (With Text)

**File #:** 1865-2021      **Version:** 1

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

**File created:** 6/29/2021      **In control:** Zoning Committee

**On agenda:** 7/19/2021      **Final action:** 7/22/2021

**Title:** To rezone 199 S. OHIO AVE. (43205), being 0.35± acres located at the southwest corner of South Ohio Avenue and Franklin Avenue, From: R-3, Residential District, To: AR-1, Apartment Residential District (Rezoning #Z20-094).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD1865-2021.Attachments, 2. ORD1865-2021.Labels

Date	Ver.	Action By	Action	Result
7/22/2021	1	CITY CLERK	Attest	
7/20/2021	1	MAYOR	Signed	
7/19/2021	1	COUNCIL PRESIDENT	Signed	
7/19/2021	1	Zoning Committee	Approved	Pass
7/12/2021	1	Columbus City Council	Read for the First Time	

### Rezoning Application: Z20-094

**APPLICANT:** OBrien Company, LLC; c/o Dave Perry, Agent; David Perry Company, Inc.; 411 East Town Street, 1st Floor; Columbus, OH 43215; and Donald Plank, Atty.; Plank Law Firm; 411 East Town Street, 2nd Floor; Columbus, OH 43215.

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

**DEVELOPMENT COMMISSION RECOMMENDATION:** Approval (5-1) on March 11, 2021.

**NEAR EAST AREA COMMISSION RECOMMENDATION:** Approval.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The site consists of three undeveloped parcels in the R-3, Residential District. The applicant proposes the AR-1, Apartment Residential District to permit a multi-unit residential development. Concurrent Council variance (Ordinance #1866-2020; CV20-109) proposes an 11-unit development, and includes variances to reduce vision clearance, building line, and perimeter yard requirements, and to increase lot coverage. The site is located within the boundaries of the *Near East Area Plan* (2005), which does not contain a land use recommendation for this location. The Plan does support the development of new infill housing that contributes to a walkable and diverse neighborhood that is compatible with existing architecture in the area and with the Plan's housing design guidelines. As such, the Planning Division has reviewed building elevations for the concurrent Council variance, and has determined they are in accordance with these guidelines. The requested AR-1, Apartment Residential District will allow a multi-unit residential development that is reflective of recent urban infill developments in the area that is compatible with the surrounding residential uses.

To rezone **199 S. OHIO AVE. (43205)**, being 0.35± acres located at the southwest corner of South Ohio Avenue and Franklin Avenue, **From:** R-3, Residential District, **To:** AR-1, Apartment Residential District (Rezoning #Z20-094).

**WHEREAS**, application #Z20-094 is on file with the Department of Building and Zoning Services requesting rezoning of 0.35± acres from R-3, Residential District, to AR-1, Apartment Residential District; and

**WHEREAS**, the Development Commission recommends approval of said zoning change; and

**WHEREAS**, the Near East Area Commission recommends approval of said zoning change; and

**WHEREAS**, the City Departments recommend approval of said zoning change because the proposed AR-1, Apartment Residential District will allow multi-unit residential development that is reflective of recent urban infill developments in the area, compatible with the surrounding residential uses, and is consistent with the *Near East Area Plan's* design guidelines; now, therefore:

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

**SECTION 1.** That the Official Zoning Map of the City of Columbus, as adopted by Ordinance #0179 -03, passed February 24, 2003, and as subsequently amended, is hereby revised by changing the zoning of the property as follows:

**199 S. OHIO AVE. (43205)**, being 0.35± acres located at the southwest corner of South Ohio Avenue and Franklin Avenue, and being more particularly described as follows:

**DESCRIPTION OF 0.351 ACRES**

Situated in the State of Ohio, County of Franklin, City of Columbus, being located in Half Section 23, Township 5, Range 22, Refugee Lands, being all of Lots 174, 175 and 176 of 2nd Amended Plat of Hoffman and McGrew's Addition, recorded in Plat Book 2, Page 200, said lots being described in deeds to Sallie D. Gibson of record in Instrument Number 200207010161006, Instrument Number 200207010161007 and Instrument Number 200207010161009, all records referenced herein are on file at the Office of the Recorder for Franklin County, Ohio, and being further bounded and described as follows:

BEGINNING at the intersection of the existing south right-of-way line for Franklin Avenue (50 feet wide - public) and the existing west right-of-way line for Ohio Avenue (60 feet wide - public), being the northeast corner of said Lot 174;

Thence South 03 degrees 48 minutes 51 seconds West, along the existing west right-of-way line for Ohio Avenue and along the east line of said Lot 174, a distance of 135.30 feet to the intersection of the existing west right-of-way line for Ohio Avenue and the existing north right-of-way line for Gustavus Lane (16 feet wide - public), being the southeast corner of said Lot 174;

Thence North 86 degrees 30 minutes 52 seconds West, along the existing north right-of-way line for Gustavus Lane and along the south line of said Lots 174, 175 and 176, a distance of 113.10 feet to the southwest corner of said Lot 176, being the southeast corner of Lot 177, said Lot 177 being described in a deed to Anthony Perry, et al., of record in Instrument Number 201611220161160;

Thence North 03 degrees 49 minutes 41 seconds East, along the west line of said Lot 176 and along the east line of said Lot 177, a distance of 134.74 feet to the northwest corner of said Lot 176, being the northeast corner of said Lot 177 and being on the existing south right-of-way line for Franklin Avenue;

Thence South 86 degrees 47 minutes 54 seconds East, along the existing south right-of-way line for Franklin Avenue and along the north line of said Lots 176, 175 and 174, a distance of 113.08 feet to the POINT OF BEGINNING for this

description.

The above description contains a total area of 0.351 acres, of which:

0.116 acres is located within Franklin County Auditor's parcel number 010-047274,

0.118 acres is located within Franklin County Auditor's parcel number 010-039125,

0.117 acres is located within Franklin County Auditor's parcel number 010-026567.

**To Rezone From:** R-3, Residential District,

**To:** AR-1, Apartment Residential District.

**SECTION 2.** That a Height District of thirty-five (35) feet is hereby established on the AR-1, Apartment Residential District on this property.

**SECTION 3.** That the Director of the Department of Building and Zoning Services be, and is hereby authorized and directed to make the said changes on the said original zoning map in the office of the Department of Building and Zoning Services.

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