



## Legislation Details (With Text)

**File #:** 0585-2022      **Version:** 2

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

**File created:** 2/17/2022      **In control:** Zoning Committee

**On agenda:** 3/7/2022      **Final action:** 3/9/2022

**Title:** To grant a Variance from the provisions of Sections 3312.27(2), Parking setback line; and 3333.24, Rear yard, of the Columbus City Codes; for the property located at 6050 CLEVELAND AVE. (43231), to permit reduced development standards for a ten-unit apartment building in the AR-1, Apartment Residential District (Council Variance #CV20-134).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD0585-2022\_Attachments\_Amended, 2. ORD0585-2022\_Attachments, 3. ORD0585-2022\_Labels

Date	Ver.	Action By	Action	Result
3/9/2022	2	CITY CLERK	Attest	
3/8/2022	2	MAYOR	Signed	
3/7/2022	2	COUNCIL PRESIDENT	Signed	
3/7/2022	1	Zoning Committee	Accept entire staff report into evidence as an exhibit	Pass
3/7/2022	1	Zoning Committee	Adopt the findings of staff as the findings of Council	Pass
3/7/2022	1	Zoning Committee	Amended as submitted to the Clerk	Pass
3/7/2022	1	Zoning Committee	Approved as Amended	Pass
2/28/2022	1	Columbus City Council	Read for the First Time	

### Council Variance Application: CV20-134

**APPLICANT:** Bart Overly; Blostein/Overly Architects; 922 West Broad Street; Columbus, OH 43222; and Michael Anthony, Atty.; 978 South Front Street; Columbus, OH 43206.

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

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The applicant has received a recommendation of approval from Staff and the Development Commission for a concurrent rezoning (Ordinance #0584-2022; Z20-117) to the AR-1, Apartment Residential District. The applicant proposes a ten-unit apartment building. Variances to reduce the required parking setback along Bella Via Avenue and to reduce the rear yard are included in the request. Additionally, the request includes a commitment to a site plan and building elevations which incorporate several design guidelines of the *Northland I Area Plan* (2014) including a pedestrian connection to Cleveland Avenue, additional bicycle parking, additional landscaping between the parking lot and the adjacent single-unit dwelling to the east, and the inclusion of street trees along Bella Via Avenue. The proposed apartment building is a supportable transitional use between commercial uses at the intersection of Cleveland Avenue and Bella Via Avenue and single-unit dwellings to the north and east of the site.

To grant a Variance from the provisions of Sections 3312.27(2), Parking setback line; and 3333.24, Rear yard, of the Columbus City Codes; for the property located at **6050 CLEVELAND AVE. (43231)**, to permit reduced development standards for a ten-unit apartment building in the AR-1, Apartment Residential District (Council Variance #CV20-134).

**WHEREAS**, by application #CV20-134, the owner of property at **6050 CLEVELAND AVE. (43231)**, is requesting a Council variance to permit reduced development standards for a ten-unit apartment building in the AR-1, Apartment Residential District; and

**WHEREAS**, Section 3312.27(2), Parking setback line, requires the parking setback line to be 25 feet along public streets, while the applicant proposes a parking setback line of 10 feet along Bella Via Avenue; and

**WHEREAS**, Section 3333.24, Rear yard, requires a rear yard totaling no less than 25 percent of the total lot area, while the applicant proposes a reduced rear yard of 22.4 percent; and

**WHEREAS**, the City Departments recommend approval because the proposed variances will allow an apartment building that provides a transition between commercial and single-unit residential uses with a site design that incorporates design guidelines of the *Northland I Area Plan*; and

**WHEREAS**, this 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 **6050 CLEVELAND AVE. (43231)**, 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 3312.27(2), Parking setback line; and 3333.24, Rear yard, of the Columbus City Codes, is hereby granted for the property located at **6050 CLEVELAND AVE. (43231)**, insofar as said sections prohibit a reduced parking setback from 25 feet to 10 feet along Bella Via Avenue; and a reduced rear yard from 25 percent to 22.4 percent; said property being more particularly described as follows:

**6050 CLEVELAND AVE. (43231)**, being 0.46± acres located at the northeast corner of Cleveland Avenue and Bella Via Avenue, and being more particularly described as follows:

ALL that certain lot, parcel or tract of land, situate and lying in the City of Columbus , County of Franklin, State of Ohio, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin and in the Township of Blendon and bounded and described as follows:

Being Lot Number Fourteen (14), of RUCKMOOR SUBDIVISION, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 24, page 48, Recorder's Office, Franklin County, Ohio.

Tax Parcel Number: 010-148373

Property Address: 6050 Cleveland Avenue, Columbus, OH 43231

**SECTION 2.** That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for those uses permitted in the AR-1, Apartment Residential District.

**SECTION 3.** That this ordinance is further conditioned on general conformance with the site plan titled, "**ZONING SITE PLAN**," and said building elevations titled "**NORTH ELEVATION**," "**SOUTH ELEVATION**," and "**WEST AND EAST ELEVATION**," all signed by Bart W. Overly, Applicant, and dated November 10, 2021. The plans may be slightly adjusted to reflect engineering, topographical, or other site data developed at the time of the development and when engineering and architectural drawings are completed. Any slight adjustment to the plan 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 on the applicant obtaining all applicable permits and Certificates 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.