



City of Columbus

Office of City Clerk
90 West Broad Street
Columbus OH 43215-9015
columbuscitycouncil.org

Legislation Text

File #: 0714-2016, **Version:** 2

Council Variance Application: CV15-069

APPLICANT: Snyder Baker Acquisitions, LLC; c/o Dave Perry, Agent; David Perry Company, Inc.; 145 East Rich Street, 3rd Floor; Columbus, OH 43215; and Donald Plank, Atty.; Plank Law Firm; 145 East Rich Street, 3rd Floor; Columbus, OH 43215.

PROPOSED USE: Multi-unit residential development with a maximum of sixty-six (66) units.

5TH BY NORTHWEST AREA COMMISSION RECOMMENDATION: Approval (7-0) on January 5, 2016.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The applicant has received a recommendation of approval from Staff and the Development Commission for a concurrent rezoning (Ordinance No. 0711-2016; Z15-051) to the AR-3, Apartment Residential District to allow the development of a three story multi-unit residential building, containing a maximum of sixty-six (66) units. The applicant is requesting variances to maneuvering, parking space, landscaping and screening, building coverage, building lines, rear yard, and building height standards. These reduced development standards are supportable because they allow for better design and placement of the building and parking on the development site. The requested variances are reflective of higher-density infill development in urban neighborhoods, including developments in the *Fifth by Northwest* planning area.

To grant a Variance from the provisions of Sections 3312.21(D)(1), Landscaping and screening; 3312.25, Maneuvering; 3312.29, Parking space; 3333.15(C), Basis of computing area; 3333.18, Building lines; 3333.24, Rear yard; and 3333.26, Height district; of the Columbus City Codes; and for the property located at **1414 BROADVIEW AVENUE (43212)**, to permit a multi-unit residential development with a maximum of sixty-six units with reduced development standards in the AR-3, Apartment Residential District (Council Variance # CV15-069) **(REPEALED BY ORD. 1929-2017; PASSED 7/31/17)**

WHEREAS, by application No. CV15-069, the owner of property at **1414 BROADVIEW AVENUE (43212)**, is requesting a Variance to allow a three (3) story apartment building containing no more than sixty-six (66) dwelling units with reduced development standards in the AR-3, Apartment Residential District; and

WHEREAS, Section 3312.21(D), Landscaping and screening, requires screening of parking lots within 80 feet of residential zoning districts be provided in a landscaped area at least four (4) feet wide while the applicant proposes no landscaped area along southern property while a fence five (5) feet tall and seventy-five (75) percent opaque will be provided; and

WHEREAS, Section 3312.25, Maneuvering, requires every parking space to have sufficient access and maneuvering area anywhere on a lot, while the applicant proposes to allow maneuvering over and through a parking space for nine (9) stacked parking spaces; and

WHEREAS, Section 3312.29, Parking space, allows stacked parking spaces for dwellings, but those stacked spaces may not be counted as required spaces, while the applicant proposes nine (9) stacked spaces to be counted in the total number of provided parking spaces; and

WHEREAS, Section 3333.15(C), Basis of computing area, limits buildings from occupying more than fifty (50) percent of the lot area, while the applicant proposes an increased lot coverage to sixty-three (63) percent on the site; and

WHEREAS, Section 3333.18, Building lines, requires a building line of no less than twenty-five (25) feet along Broadview Avenue, while the applicant proposes a reduced building line of twenty (20) feet along Broadview Avenue; and

WHEREAS, Section 3333.24, Rear yard, requires a rear yard totaling no less than twenty-five (25) percent of the total lot area, while the applicant proposes a reduced rear yard of eight (8) percent of the total lot area; and

WHEREAS, Section 3333.26, Height district, permits a maximum building height of thirty-five (35) feet, while the applicant proposes a building height of forty-five (45) feet; and

WHEREAS, the 5th by Northwest Area Commission recommends approval; and

WHEREAS, City Departments recommend approval because the requested variances will allow a residential development that is consistent with the land use recommendation of the *Fifth by Northwest Plan* (2009) for this site, and is compatible with other residential developments in the surrounding neighborhood. The requested variances are reflective of higher-density infill development in urban neighborhoods; and

WHEREAS, said ordinance requires separate submission for all applicable permits and 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 **1414 BROADVIEW AVENUE (43212)**, in using said property as desired, now therefore:

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

SECTION 1. That variances from the provisions of Sections 3312.21(D), Landscaping and screening; 3312.25, Maneuvering; 3312.29, Parking space; 3333.15(C), Basis of computing area; 3333.18, Building lines; 3333.24, Rear yard; and 3333.26, Height district; of the Columbus City Codes are hereby granted for the property located at **1414 BROADVIEW AVENUE (43212)**, insofar as said sections prohibit a reduced landscaped area from four (4) to zero (0) feet on the southern property line; maneuvering over parking spaces; nine (9) stacked spaces; an increased maximum lot coverage from fifty (50) to sixty-three (63) percent; a reduced building line from twenty-five (25) to twenty (20) feet from Broadview Avenue; a reduced rear yard from twenty-five (25) percent to eight (8) percent of the total lot area; and an increased building height from thirty-five (35) to forty-five (45) feet of feet; said property being more particularly described as follows:

1414 BROADVIEW AVENUE (43212), being 1.1± acres located on the east side of Broadview Avenue, 377± feet north of West Third Avenue, and being more particularly described as follows:

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

All of Lot Number Fifteen (15) of GRANDVIEW, CROUGHTON AND DENMEAD'S SUBDIVISION, as the same is

numbered and delineated upon the recorded plat thereof, of record in Plat Book 4, Page 318, Recorder's Office, Franklin County, Ohio.

AND

Situated in the State of Ohio, County of Franklin, and in the City of Columbus, and bounded and described as follows: Being part of the north one-half (1/2) of the following described premises: Part of Section No. 1, Township No. 1, Range No. 23., Congress Lands; being Lot Number Eighteen (18) in GRANDVIEW, CROUGHTON AND DENMEAD'S SUNBURBAN SUBDIVISION, as per plat thereof, record in Plat Book No. 4, Page 318, Recorder's Office, Franklin County, Ohio; more particularly described as follows:

Beginning at the northwest corner of said Lot No. 18; thence South along the western line of said Lot No. 18, 53.96 feet to a point; thence Eastwardly to a point on the East line of said Lot No. 18, said point being 53.81 feet South of the Northeast corner of said Lot No. 18; thence North along the east line of said lot 53.81 feet to the northeast corner of said lot, thence west along the north line of said lot to the place of beginning.

Being 1.082 acres.

Parcel Nos. 010-063294, 010-059430, 010-062921, 010-063596, 010-063508, 010-063219 and 010-049873

Known as: 1414 Broadview Avenue, Columbus, OH 43212

SECTION 2. That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for a three story apartment building with a maximum of ~~sixty-eight~~ **six (66)** dwelling units, or those uses permitted in the AR-3, Apartment Residential District.

SECTION 3. That this ordinance is further conditioned upon the following; there shall be a maximum of sixty-six (66) dwelling units; the apartment building shall be four (4) sided, with the same quality of finish and wall architecture on all four (4) sides of the building; and a pedestrian connection shall be provided from the east side of the property to the commercial property adjacent to the east, to provide pedestrian connectivity to the Grandview Avenue commercial corridor.

SECTION 4. That this ordinance is further conditioned on the subject site being developed in general conformance with the exhibit titled, "**ZONING VARIANCE SITE PLAN - BROADVIEW APARTMENTS**" Sheets 1 and 2 drawn by E.P. Ferris & Associates, Inc., dated February, 26, 2016, and signed by Donald Plank, Attorney for the Applicant. The plan 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 adjustments to the plans shall be subject to review and approval 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 5. That this ordinance is further conditioned on the applicant obtaining all applicable permits and a Certificate of Occupancy for the proposed use.

SECTION 6. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.