



Legislation Text

File #: 1829-2024, Version: 2

Council Variance Application: CV20-126B

Ordinance #0745-2021, passed April 5, 2021 (CV20-126), allowed a 360-unit apartment complex with reduced development standards in the L-AR-1, Limited Apartment Residential District on property located at 2600 Stelzer Road. That ordinance included setback variances of 15 feet for both parking and building lines along I-270. Ordinance #3140-2021, passed December 6, 2021 (CV20-126A), further modified the building setback along I-270 from 15 to 10 feet. A subsequent as-built site survey shows that some of the detached garages along the I-270 setback area have a reduced setback of 9.7 feet. This ordinance amends Section 1 of Ordinance #3140-2021 to correct the building setback discrepancy and reflect the as-built setback along the eastern property line in this setback area. No other aspects of Ordinance #3140-2021 are changing with this amendment.

NORTHEAST AREA COMMISSION'S RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval.

To amend Ordinance #3140-2021, passed December 6, 2021 (CV20-126A), for property located at **2600 STELZER RD. (43219)**, to repeal Section 1 and replace it with a new Section 1 to correct the building setback variance for an existing apartment complex **and to declare an emergency.** (Council Variance #CV20-126B).

WHEREAS, Ordinance #0745-2021, passed April 5, 2021 (CV20-126), allowed a 360-unit apartment complex with reduced development standards in the L-AR-1, Limited Apartment Residential District at **2600 STELZER RD. (43219)**; and

WHEREAS, Ordinance #3140-2021, passed December 6, 2021 (CV20-126A), further reduced the building setback for the eastern property line along I-270 from 15 to 10 feet as specified in Section 1; and

WHEREAS, the reduced setbacks need to be 9.7 feet as determined by a subsequent as-built survey of the property; and

WHEREAS, it is necessary to amend Section 1 of Ordinance #3140-2021 to include the necessary building setback variance to legitimize the project; and

WHEREAS, all other provisions contained in Ordinance #3140-2021 are unaffected by this amendment and remain in effect, and are repeated below for clarity and consistency; **and now, therefore:**

WHEREAS, an emergency exists in the usual daily operation in the City of Columbus in that it is immediately necessary to pass this ordinance due to the need to permit the property owner to complete the sale of the property pursuant to the real estate contract per Jeffrey L. Brown for the immediate preservation of the public peace, property, health and safety; now, therefore:

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

SECTION 1. That the existing Section 1 of Ordinance #3140-2021, passed December 6, 2021 (CV20-126A), be hereby

repealed and replaced with a new Section 1 reading as follows:

SECTION 1. That a variance from the provisions of Sections 3312.27(2), Parking setback line; and 3333.18, Building lines, of the Columbus City Codes, is hereby granted for the property located at **2600 STELZER RD. (43219)**, insofar as said sections prohibit a reduced parking setback line from 25 feet to 10 feet along Codet Road and I-270; and reduced building lines as follows: from 60 feet along Stelzer Road to 25 feet for buildings and 19 feet for porches and balconies; from 25 feet along Codet Road to 15 feet for buildings and 11 feet for air conditioning units; and from 25 feet along I-270 to 9.7 feet for buildings; and a reduced interior perimeter yard from 25 feet to zero feet; said property being more particularly described as follows:

2600 STELZER RD. (43219), being 26.88± acres located at the northeast corner of Stelzer Road and Codet Road, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin, City of Columbus, lying within Quarter Township 1, Township 1, Range 17, United States Military Lands, being 26.879 acres of land all out of an original 27.436 acre tract as conveyed to The New Salem Missionary Baptist Church, of record in Instrument Number 200507110135048, being Franklin County Parcel Identification Number 010-255295, Franklin County Parcel Identification Number 010-255289, Franklin County Parcel Identification Number 010-255293, Franklin County Parcel Identification Number 010-255290, Franklin County Parcel Identification Number 010-255296, Franklin County Parcel Identification Number 010-255285, Franklin County Parcel Identification Number 010-255300, Franklin County Parcel Identification Number 010-255286, Franklin County Parcel Identification Number 010-264081, Franklin County Parcel Identification Number 010-264082, Franklin County Parcel Identification Number 010-259545, Franklin County Parcel Identification Number 520-258110, all being of record in the Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

BEGINNING, at the southwest corner of said 27.436 acre tract and being the intersection of the northerly right of way line of Codet Road and the easterly right of way line of Stelzer Road;

Thence, with said easterly right of way line, North 3°52'51" East a distance of 567.75 feet to the southwesterly corner of a 0.441 acre tract of land as conveyed to Kenneth C. Baker and Sandra L. Baker, of record in Official Record 009003, Page A06;

Thence, with the southerly line of said 0.441 acre tract, South 87°00'33" East, a distance of 167.00 feet to a point;

Thence, with the westerly line of said 0.441 acre tract, North 3°52'47" East, a distance of 100.00 feet to a point on the southerly line of a subdivision entitled Towne Park Section 1, of record in Plat Book 107, Page 47;

Thence, with said southerly line, South 87°00'33" East, a distance of 792.16 feet to an angle point;

Thence, continuing with said southerly line and with the southerly line of a subdivision entitled Towne Park Section 3, of record in Plat Book 113, Page 5, South 87°39'28" East, a distance of 802.98 feet to a point in the westerly limited access right of way of Interstate 270;

Thence, with said westerly limited access right of way of Interstate 270 the following courses:

South 86°24'59" East, a distance of 15.00 feet to a point;

South 3°35'01" West, a distance of 672.35 feet to a point in the northerly right of way line of Codet Road;

Thence, with said northerly right of way line, North 87°08'49" West, a distance of 1780.50 feet to the **POINT OF BEGINNING**; containing 26.879 acres, more or less.

Subject to all covenants, restrictions, reservations and easements contained in any instrument of record pertaining to the

above described tract of land.

The bearings shown above are based on GPS observations, based on NAD83 (2011), Ohio State Plane South Zone, with a bearing of South 2°02'00" East for the centerline of Harlem Road between Franklin County Monument 1373 and Franklin County Monument 1375.

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 L-AR-1, Limited Apartment Residential District, specified by Ordinance #0744-2021; Z20-111.

SECTION 3. That this ordinance is further conditioned on the applicant obtaining all applicable permits and a Certificate of Zoning Clearance for the revised garage building setback line.

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

SECTION 4. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or 10 days after its passage if the Mayor neither approves nor vetoes the same.