



## Legislation Text

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**File #:** 2054-2024, **Version:** 1

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### **Council Variance Application: CV24-053**

**APPLICANT:** Daniel Mayer; 1250 Chambers Road, Suite 250; Columbus, Ohio 43212.

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

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

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The site consists of one parcel developed with a five-unit apartment building in the C-4, Commercial District. The proposal includes the addition of three units to the existing building with variances for ground floor residential use, reduced building and parking setbacks, and reduced parking from 12 to five spaces. A variance is necessary because the C-4 district does not allow ground-floor residential uses. The site is within the planning area of the *Hilltop Land Use Plan* (2019), which recommends "Mixed Use 1" at this location. While the proposed density is greater than what is recommended at this location (24 units per acre), the *Columbus Citywide Planning Policies* (C2P2) Design Guidelines (2018) consider support for proposals with a higher density than recommended when they have a high quality of design. The request includes commitments to a site plan and building elevations that are consistent with C2P2 design guidelines. Staff also notes the proposal is consistent with City initiatives to add more housing units in all areas of the city.

To grant a Variance from the provisions of Sections 3356.03, C-4 permitted uses; 3312.27, Parking setback line; 3312.49, Required parking; and 3356.11, C-4 district setback lines, of the Columbus City Codes; for the property located at **737-739 S. TERRACE AVE. (43204)**, to allow an apartment building with reduced development standards in the C-4, Commercial District (Council Variance #CV24-053).

**WHEREAS**, by application #CV24-053, the owner of the property at **737-739 S. TERRACE AVE. (43204)**, is requesting a Variance to allow an apartment building with reduced development standards in the C-4, Commercial District; and

**WHEREAS**, Section 3356.03, C-4 permitted uses, allows apartment uses above certain commercial uses, but does not allow first-floor residential uses, while the applicant proposes first-floor residential and accessory uses within a mixed-use building; and

**WHEREAS**, Section 3312.27, Parking setback line, requires a parking setback of ten feet, while the applicant proposes a reduced parking setback of four feet along Whitehead Road; and

**WHEREAS**, Section 3312.49, Required parking, requires 12 parking spaces for eight dwelling units, while the applicant proposes a reduced total of five parking spaces; and

**WHEREAS**, Section 3356.11, C-4 district setback lines, requires a building setback of ten feet, while the applicant proposes to maintain a reduced building setback of one foot along Whitehead Road; and

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

**WHEREAS**, City Departments recommend approval because the variance includes a commitment to a site plan and building elevations that are consistent with C2P2 Design Guidelines, and will result in more housing units consistent with City initiatives; and

**WHEREAS**, said ordinance requires separate submission for all applicable permits and a Certificate of Occupancy for the proposed development; 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 **737-739 S. TERRACE AVE. (43204)**, in using said property as desired; now, therefore:

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

**SECTION 1.** That a variance is hereby granted from the provisions of Sections 3356.03, C-4 permitted uses; 3312.27, Parking setback line; 3312.49, Required parking; and 3356.11, C-4 district setback lines, of the Columbus City Codes; for the property located at **737-739 S.TERRACE AVE. (43204)**, insofar as said sections prohibit an apartment building in the C-4, Commercial District, with a reduced parking setback from ten to four feet along Whitehead Road; reduced parking from 12 required to five provided spaces; and a reduced building setback from ten to one foot; said property being more particularly described as follows:

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

Being Lot Three Hundred Fifty (350) in Westland Extension, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 18, page 40, Recorder's Office, Franklin County, Ohio.

Tax Parcel No.: 010-078325

Property Address: 737-739 South Terrace Avenue, Columbus, OH 43204.

**SECTION 2.** That this ordinance is conditioned on and shall remain in effect only for so long as said property is developed with an apartment building containing up to eight units, or those uses in C-4, Commercial District.

**SECTION 3.** That this ordinance is further conditioned on the subject site being developed in general conformance with the plan titled, "**TERRACE AVE MULTI-FAMILY ZONING SITE PLAN**," and building elevations titled "**TERRACE AVE MULTI-FAMILY ELEVATIONS**," both dated June 21, 2024, and signed by Daniel Mayer, Applicant. 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 plans 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 upon the applicant obtaining all applicable permits and a Certificate of Occupancy for the proposed development.

**SECTION 5.** That this ordinance shall take effect and be in force from and after the earliest period allowed by law.