



# City of Columbus

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

## Legislation Text

---

**File #:** 1650-2020, **Version:** 1

---

### **Rezoning Application: Z19-100**

**APPLICANT:** Kelley Companies; c/o Dave Perry, Agent; David Perry Company, Inc.; 411 East Town Street, 1<sup>st</sup> Floor; Columbus, OH 43215; and Michael Kelley, Atty.; 175 S. Third Street, Suite 1020; Columbus, OH 43215.

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

**DEVELOPMENT COMMISSION RECOMMENDATION:** Approval (5-0-1) on June 11, 2020.

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

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The site consists of nine parcels developed with one vacant apartment building in the R-2F, Residential District. The requested AR-3, Apartment Residential District will permit a new multi-unit residential development. Concurrent Council variance (Ordinance #1651-2020; CV19-137) proposes a 51-unit apartment building, and includes variances to increase maximum building height and lot coverage, and to reduce building lines, vision clearance triangles, side yards, and the minimum number of required parking spaces. 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, 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-3, 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 **261 HAMILTON AVE. (43203)**, being 0.63± acres located at the southwest corner of Hamilton Avenue and Mt. Vernon Avenue, **From:** R-2F, Residential District, **To:** AR-3, Apartment Residential District (Rezoning #Z19-100).

**WHEREAS**, application #Z19-100 is on file with the Department of Building and Zoning Services requesting rezoning of 0.63± acres from R-2F, Residential District, to AR-3, 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-3, 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:

**261 HAMILTON AVE. (43203)**, being 0.63± acres located at the southwest corner of Hamilton Avenue and Mt. Vernon Avenue, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin, City of Columbus, and being all out of Franklin County Parcel numbers 010-006494, 010-012647, 010-012824, 010-013747, 010-022016, and 010-022408 as conveyed to Shiloh Baptist Church of Columbus, Ohio by the instrument filed as Official Record volume 28639, page H19, all of Franklin County Parcel number 010-300130 as conveyed to Shiloh Baptist Church of Columbus, Ohio by the instrument filed as Instrument Number 201909130118865, and all of Franklin County Parcel number 010-043112 as conveyed to Shiloh Family Institute, Inc. by the instrument filed as Instrument Number 200606010106099, and all of Franklin County Parcel number 010-251645 as conveyed to the City of Columbus, Ohio by the instruments filed as Deed Book volume 2329, page 373, and Deed Book volume 2324, page 551 (all deed references refer to the records of the Recorder's Office Franklin County Ohio) and described as follows:

BEGINNING at the northeasterly corner of the said Shiloh Baptist Church of Columbus, Ohio parcel, also being the northeasterly corner of Lot 302 of East Park Place Addition filed as Plat Book volume 2, page 62, being at the intersection of the westerly right-of-way line of Hamilton Avenue and the southerly right-of-way line of Mt. Vernon Avenue, the said nail being the TRUE POINT OF BEGINNING of the parcel herein described.

Thence along the easterly line of the said Shiloh Baptist Church of Columbus, Ohio parcel and along the said westerly right-of-way line, South 08 degrees 07 minutes 21 seconds East for a distance of 212.76 feet to the southeasterly corner of the said Shiloh Family Institute, Inc. parcel and at the northeasterly corner of a parcel conveyed to Patrick Monagan by the instrument filed as Instrument Number 200809100137255;

Thence along the southerly line of the said Shiloh Family Institute, Inc. parcel and along the northerly line of the said Patrick Monagan parcel, South 81 degrees 55 minutes 40 seconds West for a distance of 138.96 feet to point in the southerly line of the said Shiloh Family Institute, Inc. parcel;

Thence North 04 degrees 37 minutes 37 seconds West for a distance of 204.28 feet to a point in the southerly right-of-way line of Mount Vernon Avenue;

Thence along the said southerly right-of-way line, North 77 degrees 55 minutes 33 seconds East for a distance of 128.81 feet to the TRUE POINT OF BEGINNING, passing an iron pin set at 19.15 feet, containing 0.634 acres, more or less.

This description was prepared from existing records for zoning purposes and is not intended for deed transfer purposes.

**To Rezone From:** R-2F, Residential District,

**To:** AR-3, Apartment Residential District.

**SECTION 2.** That a Height District of thirty-five (35) feet is hereby established on the AR-3, 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.