



## Legislation Text

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**File #:** 0031-2020, **Version:** 1

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### **Council Variance Application: CV19-113**

**APPLICANT:** Homeport; c/o Laura MacGregor Comek, Atty.; 501 South High Street; Columbus, OH 43215.

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

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The site is comprised of a single parcel zoned in the R-1, Residential District, and is developed with a single-unit dwelling. The requested Council variance will allow the site to be redeveloped with a 56-unit apartment complex. A variance is necessary because the R-1 district does not permit multi-unit residential development. The site is within the planning area of the *Northland I Area Plan* (2014), which recommends “Medium-High Density Mixed Residential” uses for this location. This proposed development will be subject to a competitive funding process by the U.S. Department of Housing and Urban Development which requires certain land attributes including compliant zoning. Staff supports the Council variance process to assist in this state funding application process; however, this ordinance includes a condition that a Certificate of Zoning Clearance will not be issued until a follow-up rezoning to an appropriate zoning district has been completed. The Planning Division does not object to this limited Council variance request, but has requested the following from the applicant when the follow-up rezoning application is filed: that parking be placed behind the proposed dwelling units, that sidewalks are included, and that the applicant work with Columbus City Schools to explore the feasibility of a connection between the subject site and the adjacent school.

To grant a Variance from the provisions of Section 3332.03, R-1 residential district, of the Columbus City Codes; for the property located at **6285 MAPLE CANYON AVE. (43229)**, to permit multi-unit residential development in the R-1, Residential District (Council Variance #CV19-113).

**WHEREAS**, by application #CV19-113, the owner of property at **6285 MAPLE CANYON AVE. (43229)**, is requesting a Council variance to permit multi-unit residential development in the R-1, Residential District; and

**WHEREAS**, Section 3332.03, R-1 residential district, lists single-unit dwellings as the only permitted residential use, while the applicant proposes multi-unit residential development; and

**WHEREAS**, City Departments recommend approval because the requested variance will help facilitate state funding requirements. However, the Applicant will not be issued a Certificate of Zoning Clearance for the proposed development until a follow-up rezoning to an appropriate apartment residential zoning district is completed; 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 **6285 MAPLE CANYON AVE. (43229)**, 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 Section 3332.03, R-1 residential district, of the Columbus City Codes, is hereby granted for the property located at **6285 MAPLE CANYON AVE. (43229)**, insofar as said section prohibits multi-unit residential development in the R-1 Residential District; said property being more particularly described as follows:

**6285 MAPLE CANYON AVE. (43229)**, being 4.52± acres located on the west side of Maple Canyon Avenue, 150± feet south of Pipestem Court, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin, Sharon Township City of Columbus, being Section 4, Township 2 North, Range 18 West, United States Military Survey, being all of Lot 39 of Sharon Acres as recorded in Plat Book volume 20, page 1, all records referenced herein are to the records of Franklin County, Ohio Recorder's Office, unless otherwise stated, being conveyed to **Ronald J. Brofford and Willam J. Brofford** by the instruments filed as **Instrument Number 201804270055323, Instrument Number 201804270055322 and Instrument Number 201801290010932**, and being more particularly described for zoning purposes as follows:

**BEGINNING** at the northeast corner of the above referenced Lot 39, the southeast corner of Lot 36 of the said Sharon Acres and being on the westerly right-of-way line of Maple Canyon Avenue (50' R/W - Public);

Thence along the easterly line of the said Lot 39 and the said westerly right-of-way of Maple Canyon Avenue, along a curve to the left having a Delta Angle of **14 degrees 32 minutes 52 seconds**, Radius of **1264.20 feet**, Arc Length of **320.99 feet**, and being subtended by a Long Chord bearing **South 23 degrees 50 minutes 49 seconds West for a distance of 320.13 feet** to the southeast corner of the said Lot 39 and being the northeast corner of Lot 40 of the said Sharon Acres;

Thence along the southerly line of the said Lot 39 and being the northerly line of the said Lot 40, **North 85 degrees 56 minutes 33 seconds West for a distance of 610.55 feet** the southwest corner of the said Lot 39, the northwest corner of the said Lot 40, and being on the westerly line of the said Sharon Acres;

Thence along the westerly line of the said Lot 39 and being the said westerly line of Sharon Acres, **North 03 degrees 41 minutes 09 seconds East for a distance of 297.11 feet** to the northeast corner of the said Lot 39 and being the southwest corner of Lot 38 of the said Sharon Acres;

Thence along the northerly line of the said Lot 39 and being the southerly lines of Lots 38, 37 & 36 of the said Sharon Acres, **South 86 degrees 16 minutes 10 seconds East for a distance of 720.87 feet** to the **POINT OF BEGINNING** for this description.

The above description contains a total of **4.520 acres**, all of which are located in Franklin County Auditor's parcel number **010-147419**.

Bearing described herein are based on Grid North, NAD 83, per the Franklin County GIS.

This description is intended for zoning purposes only, was prepared from Franklin County GIS Data, and does not represent an actual field survey.

**SECTION 2.** That this ordinance is further conditioned on no Certificate of Zoning Clearance being granted until a follow-up rezoning to an appropriate apartment residential zoning district is completed.

**SECTION 3.** That this ordinance shall take effect and be in force from and after the earliest period allowed by law.