



## Legislation Text

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**File #:** 2211-2023, **Version:** 1

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**Council Variance Application: CV23-036**

**APPLICANT:** Metro Development LLC; c/o Jeffery L. Brown, Atty.: Smith and Hale; 37 West Broad Street, Suite 460; Columbus, OH 43215.

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

**WESTLAND AREA COMMISSION RECOMMENDATION:** Approval.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The applicant has received a recommendation of approval from Staff and the Development Commission for a concurrent rezoning (Ordinance #2210-2023; Z23-024) to the L-AR-1, Limited Apartment Residential District for a multi-unit residential development containing up to 130 units. The requested Council variance permits reduced building lines, reduced perimeter yard, and increased height of detached garages for a proposed apartment complex. The requested building line and perimeter yard reductions are supported noting the irregular shape of the site, and the presence of two stream corridor protection zones on site. The increased height for the detached garage buildings allows for a pitched roof design that is consistent with the proposed apartment buildings. The proposal is consistent with the surrounding zoning and residential development pattern along Alkire Road, and with *Columbus Citywide Planning Policies (C2P2) Design Guidelines (2018)*

To grant a Variance from the provisions of Sections 3333.18, Building lines; 3333.255, Perimeter yard; and 3333.35(G), Private garage, of the Columbus City Codes; for the property located at **4300 ALKIRE RD. (43228)**, to permit reduced development standards for an apartment complex in the L-AR-1, Limited Apartment Residential District (Council Variance #CV23-036).

**WHEREAS**, by application #CV23-036, the owner of property at **4300 ALKIRE RD. (43228)**, is requesting a Council variance to permit reduced development standards for an apartment complex in the L-AR-1, Limited Apartment Residential District; and

**WHEREAS**, Section 3333.18, Building lines, requires building lines of 25 feet along I-270, and 50 feet along Alkire Road, while the applicant proposes a reduced building lines of 5 feet along the east property line (the I-270 frontage) and of 15 feet along Alkire Road; and

**WHEREAS**, Section 3333.255, Perimeter yard, requires a 25-foot wide perimeter yard for an apartment complex, while the applicant proposes a reduced perimeter yard of 15 feet along the western property line; and

**WHEREAS**, Section 3333.35(G), Private garage, restricts the height of a private detached garage building to 15 feet, while the applicant proposes to increase the permitted height to 16 feet; and

**WHEREAS**, the Westland Area Commission recommends approval; and

**WHEREAS**, the City Departments recommend approval of the requested variances because of the irregular shape of the site, the presence of stream corridor protection zones, and the design of the detached garage buildings which will be more

consistent with the roof pitch of the proposed apartment buildings. The proposal is consistent with the surrounding zoning and residential development pattern along Alkire Road, and with C2P2 Design Guidelines; and

**WHEREAS**, this ordinance requires separate submission for all applicable permits and Certificates of Occupancy for the proposed use; and

**WHEREAS**, said variance will not seriously 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 **4300 ALKIRE RD. (43228)**, 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 Sections 3333.18, Building lines; 3333.255, Perimeter yard; and 3333.35(G), Private garage, of the Columbus City Codes, is hereby granted for the property located at **4300 ALKIRE RD. (43228)**, insofar as said sections prohibit reduced building lines from 25 feet along I-270 and 50 feet along Alkire Road to 5 and 15 feet, respectively; a reduced perimeter yard from 25 to 15 feet along the western property line; and an increased private detached garage height from 15 to 16 feet; said property being more particularly described as follows:

**4300 ALKIRE RD. (43228)**, being 6.38± acres located on the north side of Alkire Road, 400± feet west of I-270, and being more particularly described as follows:

Situated in the State of Ohio, Jackson Township, Franklin County, being part of Survey No. 1389 of the Virginia Military Survey and containing 6.38± acres, said 6.38± acres being out of an original 6.691 acre tract conveyed to Bible Truth Tabernacle of record in Instrument Number 202202220029640, and being more particularly described as follows;

**Beginning for reference**, at an easterly corner of said Original 6.691 acre tract, being a southwesterly corner of a 8.61 acre tract of land described as being in the southwesterly limited access right-of-way line of Interstate 270 as shown Parcel 22-WL and conveyed to the State of Ohio of record in Deed Book 2951, Page 148 and shown on the O.D.O.T. plans FRA-270-2.43S, and being on the northeasterly corner of a 0.367 acre tract of land as conveyed to County of Franklin in Instrument Number 202302280019063;

Thence **S 65°29'10" W**, with the south line of said Original 6.691 acre tract, the northerly line of said 0.367 acre tract, and along the northerly line of 0.092 acre tract of land conveyed to Edward and Clarice L. Wanek of record in Deed Book 1603, Page 622 and Deed Book 2086, Page 324, **484.55 feet±** to the southwesterly corner of said Original 6.691 acre tract and being northwesterly corner of said 0.092 acre tract and being in the easterly line of a 0.561 acre tract of land conveyed to Jose M. Gonzalez Solano and Carmelina Hernandez Martinez of record in Instrument Number 202110120183685;

Thence **N 01°33'07" E**, along the westerly line of said Original 6.691 acre tract and along the easterly line of said Solano/Martinez tract, **200.00 feet±** to a common corner thereof;

Thence **S 65°28'47" W**, along a southerly line of said Original 6.691 acre tract, along the northerly line of said Solano/Martinez tract and along the northerly line of a second 0.561 acre tract of land conveyed to Kenneth P. and Florence A. Prater of record in Instrument Number 200210040249780, **200.00 feet±** to a southwesterly corner of said Original 6.691 acre tract, to a point at the northwesterly corner of said Prater tract and being in the easterly line of a

10.020 acre tract of land described as Parcel 2 and conveyed to Alkire Investments Holdings, LLC of record in Instrument Number 202209210134357;

Thence **N 00°38'58" E**, along the westerly line of said Original 6.691 acre tract and the easterly line of said Parcel 2, **816.90 feet±** to a point being a common corner thereof and returning to said 8.61 acre tract and said southwesterly limited access right-of-way line;

Thence along the northeasterly line of said Original 6.691 acre tract and along said southwesterly limited access right-of-way, the following two courses;

**S 39°48'23" E, 687.33 feet±** to an angle point;

**S 39°23'50" E, 264.90 feet±** to the **True Point of Beginning**, containing **6.38± acres** more or less.

Property Parcel: 160-000220

Property Address: 4300 Alkire Rd., Columbus, OH (43228).

**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 #2210-2023; Z23-034.

**SECTION 3.** That this ordinance is further conditioned on the applicant obtaining all applicable permits and Certificates of Occupancy for the proposed use.

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