



Legislation Text

File #: 2550-2012, **Version:** 1

Council Variance Application # CV12-005

APPLICANT: Metro Development, LLC; c/o Jill S. Tangeman, Attorney; 52 East Gay Street; Columbus, OH 43215.

PROPOSED USE: Reduced parking setback line and perimeter yard for an apartment complex.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The applicant has received a recommendation of approval from the Development Commission for a concurrent rezoning (Ordinance No. 2549-2012, Z12-002) to the L-ARLD, Limited Apartment Residential District, for the development of a 140-unit apartment complex. The applicant is requesting a variance to reduce the required parking setback line from twenty-five (25) feet to five (5) feet along Lazelle Road, and to reduce the perimeter yard of the subject property from twenty-five (25) feet to five (5) feet along the south and west property lines, and ten (10) feet along the east property line. The proposed variances are supported due to stream corridor protection zones within the property, and provide a greater capacity to preserve natural features.

To grant a variance from the provisions of Sections 3312.27, Parking setback line, and 3333.255, Perimeter yard, of the Columbus City codes; for the property located at **68 LAZELLE ROAD (43235)**, to permit a reduced parking setback line and perimeter yard for an apartment complex in the L-ARLD, Limited Apartment Residential District (Council Variance # CV12-005).

WHEREAS, by application No. CV12-005, the owner of property at **68 LAZELLE ROAD (43235)**, is requesting a Council Variance to permit a reduced parking setback line and perimeter yard for an apartment complex in the L-ARLD, Limited Apartment Residential District; and

WHEREAS, Section 3312.27, Parking setback line, requires a minimum twenty-five (25) foot parking setback line, while the applicant proposes a five (5) foot parking setback along Lazelle Road; and

WHEREAS, Section 3333.255, Perimeter yard, requires a twenty-five (25) foot perimeter yard for an apartment complex, while the applicant proposes a perimeter yard of five (5) feet along the south and west property lines, and ten (10) feet along the east property line; and

WHEREAS, the City Departments recommend approval because the proposed variances are due to stream corridor protection zones within the property, and provide a greater capacity to preserve natural features; and

WHEREAS, said ordinance requires separate submission for all applicable permits and Certificate of Occupancy for the proposed use; 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 **68 LAZELLE ROAD (43235)**, 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 3312.27, Parking setback line, and 3333.255, Perimeter yard, of the Columbus City codes, is hereby granted for the property located at **68 LAZELLE ROAD (43235)**, in so far as said section prohibits a reduced parking setback line of five (5) feet along Lazelle Road, and a reduction in the required perimeter yard from twenty-five (25) feet to five (5) feet along the south and west property lines, and ten (10) feet along the east property line in the L-ARLD, Limited Apartment Residential District, said property being more particularly described as follows:

68 LAZELLE ROAD (43235), being 9.2± acres located on the north side of Lazelle Road, 780± feet east of North High Street, and being more particularly described as follows:

9.20 Acre Rezoning Description

Situated in the Township of Orange, County of Delaware, in the State of Ohio, Quarter Township 3, Township 3, Range 18, United States Military District.

Being part of The Chakroff Family Limited Partnership, Deed Book 647, Pg. 468, and part of the 4 acre tract in the name of Dane Thomas Doremus, III, Robert Daniel Doremus and Derk Allen Sargent, Jr., Recorder's Office, Delaware County, Ohio and described as follows:

Commencing at the northeast corner of said 4 acre tract, the same being the northwest corner of said 6.815 acre tract, being the *Point of Beginning*.

Thence along the north boundary of the 6.815 acre parcel, the following courses;

S 88° 29' 41" E, 298.80 feet to the northeast corner of said 6.815 acre tract;

Thence along the east boundary of the 6.815 acre parcel, the following courses;

S 07° 40' 58" W, 1175.72 feet;

Thence across said 6.815 acre tract, the following courses;

N 87° 26' 07" W, 256.29 feet to the west line of said 6.815 acre tract;

Thence along the west boundary of the 6.815 acre parcel, the following courses;

N 05° 37' 49" E, 987.82 feet to the southeast corner of said 4 acre tract;

Thence along the south boundary of said 4 acre tract, the following courses;

N 87° 52' 46" W, 424.70 feet;

Thence across said 4 acre tract, the following courses;

N 02° 04' 00" E, 178.62 feet to the north line of said 4 acre tract;

Thence along the north boundary of said 4 acre tract, the following courses;
S 87° 56' 00" E, 435.85.90 feet to the *Point of Beginning*, and containing 9.2 acres, more or less.
The above description was prepared by Advanced Civil Design, Inc. for rezoning purposes and is not for transfer.

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 complex, or those uses permitted in the L-ARLD, Limited Apartment Residential District.

SECTION 3. That this ordinance is further conditioned upon the applicant obtaining all applicable permits and a Certificate 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.