



## Legislation Details (With Text)

**File #:** 0985-2003      **Version:** 1

**Type:** Ordinance      **Status:** Defeated

**File created:** 5/9/2003      **In control:** Zoning Committee

**On agenda:** 11/19/2018      **Final action:** 11/19/2018

**Title:** To grant a Variance from the provisions of Sections 3332.035, R-3, Residential District use; 3332.13, R-3 area district requirements; 3332.21, Building lines; 3332.25, Maximum side yards required; 3332.26, Minimum side yard permitted; 3332.27, Rear yard; 3342.17, Parking lot screening; and 3342.28, Minimum number of parking spaces required, for the property located at 490 TAYLOR AVENUE (43203), to allow the development of 29 multi-family dwelling units and a community center with reduced development standards in the R-3, Residential District (CV02-072).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD0985-2003hardship1.tif, 2. ORD0985-2003hardship2.tif, 3. ORD0985-2003hardship3.tif, 4. ORD0985-2003concept.tif, 5. ORD0985-2003zone.tif, 6. ORD0985-2003gis.tif, 7. ORD0985-2003NearEast.tif, 8. ORD0985-2003disclosure.tif

Date	Ver.	Action By	Action	Result
11/19/2018	1	Zoning Committee	Taken from the Table	Pass
11/19/2018	1	Zoning Committee	Defeated	Fail
9/9/2003	1	Council Reviewer	Sent to Clerk's Office for Council	
9/8/2003	1	Dev Zoning Drafter	Sent for Approval	
9/4/2003	1	Dev Zoning Drafter	Sent for Approval	
9/4/2003	1	DEVELOPMENT DIRECTOR	Reviewed and Approved	
7/30/2003	1	Dev Zoning Drafter	Sent for Approval	
7/30/2003	1	Dev Zoning Reviewer	Reviewed and Approved	
7/29/2003	1	City Clerk's Office	Sent back for Clarification/Correction	
5/9/2003	1	Dev Zoning Drafter	Sent for Approval	

**APPLICANT:** Community Housing Network, Inc.; c/o Donald T. Plank, Atty.; 145 East Rich Street; Columbus, Ohio 43215.

**PROPOSED USE:** To develop 29 multi-family dwelling units and a community center in the R-3, Residential District.

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

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. This Variance will allow redevelopment of one half city block bounded by Maryland Avenue on the north, Taylor Avenue on the west, Emerald Avenue on the south and an alley to the east as one lot, with 29 dwelling units and a community center for the residents in a minimum of six and maximum of eight buildings with all parking to be accessed from the alley to the east as shown on the submitted concept plan. A Council variance is necessary because the R-3, Residential District permits only single-family detached dwellings, each on a separate lot of at least 5,000 square feet. The applicant is also requesting Variances to reduce front building setback lines on Taylor, Maryland and Emerald Avenues, to reduce maximum side yard required and minimum side yard permitted, to eliminate required rear yard, to eliminate parking lot screening requirements and to reduce required parking. A hardship exists in that a single lot cannot be developed with the proposed six to eight

residential buildings and community center in the R-3, Residential District.

To grant a Variance from the provisions of Sections 3332.035, R-3, Residential District use; 3332.13, R-3 area district requirements; 3332.21, Building lines; 3332.25, Maximum side yards required; 3332.26, Minimum side yard permitted; 3332.27, Rear yard; 3342.17, Parking lot screening; and 3342.28, Minimum number of parking spaces required, for the property located at **490 TAYLOR AVENUE (43203)**, to allow the development of 29 multi-family dwelling units and a community center with reduced development standards in the R-3, Residential District (CV02-072).

**WHEREAS**, by application #CV02-072, the owner of property at **490 TAYLOR AVENUE (43203)**, is requesting a Council variance to permit the development of 29 multi-family dwelling units and a community center with reduced development standards in the R-3, Residential District; and

**WHEREAS**, Section 3332.035; R-3; Residential District use, permits only one single-family detached dwelling on a lot, while the applicant proposes to develop 29 dwelling units and a community center on one lot in a minimum of six and maximum of eight residential buildings; and

**WHEREAS**, Section 3332.13; R-3 area district requirements, requires that a single-family dwelling or other principal building shall be situated on a lot of no less than 5,000 square feet in area, while the applicant proposes to develop six to eight residential buildings and a community center on a single lot; and

**WHEREAS**, Section 3332.21; Building lines, requires a minimum building setback of 25 feet on Taylor, Maryland and Emerald Avenues, while the applicant proposes to reduce the minimum building setback to 16 feet on Taylor Avenue and to 12 feet on Maryland and Emerald Avenues; and

**WHEREAS**, Section 3332.25; Maximum side yards required, requires a maximum side yard of 16 feet, while the applicant proposes to reduce the required maximum side yard to zero feet; and

**WHEREAS**, Section 3332.26; Minimum side yard permitted, requires a minimum side yard of five feet, while the applicant proposes to reduce the minimum side yard permitted to zero feet; and

**WHEREAS**, Section 3332.27; Rear yard, requires a minimum of 12,000 square feet of rear yard, while the applicant proposes to permit buildings and parking to be located in the rear yard and provide at least 6,800 feet of landscaped open space; and

**WHEREAS**, Section 3342.17; Parking lot screening, requires that parking lots and driveways thereto that are located within 80 feet of residentially zoned property be screened, while the applicant proposes to eliminate screening for required parking; and

**WHEREAS**, Section 3342.28; Minimum number of parking spaces required, requires two parking spaces for each dwelling unit, while the applicant proposes to reduce required parking from 58 to 32 spaces; and

**WHEREAS**, the City Departments recommend approval and note a hardship exists because the proposed six to eight residential buildings with 29 dwelling units and a community center cannot be developed on one lot in the R-3, Residential District; 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 490 TAYLOR AVENUE (43203), 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 3332.035, R-3, Residential District use; 3332.13, R-3 area district requirements; 3332.21, Building lines; 3332.25, Maximum side yards required; 3332.26, Minimum side yard permitted; 3332.27, Rear yard; 3342.17, Parking lot screening; and 3342.28, Minimum number of parking spaces required, is hereby granted for the property located at **490 TAYLOR AVENUE (43203)**, in that said sections prohibit the development of a minimum of six and maximum of eight buildings containing 29 multi-family dwelling units and a community center with reduced development standards in the R-3, Residential District, and building lines reduced on Taylor Avenue from 25 to 16 feet and on Maryland and Emerald Avenues from 25 to 12 feet; maximum side yard reduced from 16 to 0 feet; minimum side yard reduced from 5 to 0 feet; rear yard reduced from 12,000 square feet to permit buildings and parking to be located in the rear yard and provide at least 6,800 square feet of landscaped open space; parking lot screening eliminated; and required parking spaces reduced from 58 to 32 spaces, 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 Numbers 1, 2, 3, 4, 5, 6 and 7 of H.R. Kearney's First Addition to the City of Columbus, as the same are numbered upon the recorded plat thereof, of record in Plat Book 2, Page 132, Franklin County, Ohio Recorder's Office.

**Section 2.** That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for a lot developed with a minimum of six (6) and maximum of eight (8) residential buildings with a maximum of 29 dwelling units and a community center, or those uses permitted in the R-3, Residential District.

**Section 3.** That this ordinance is further conditioned in that the ordinance shall not be effective as it applies to the portion of the property located at 490 Taylor Avenue known as tax parcel number 010-023276 and currently subject to proceedings in the Franklin County Probate Court unless and until said tax parcel is owned by the applicant, Community Housing Network, or its project partner Columbus Urban Growth Corporation.

**Section 4.** That this ordinance is further conditioned in that none of the use or development standards contained herein shall apply until the applicant has combined all lots bounded by Maryland Avenue on the north, Taylor Avenue on the west, Emerald Avenue on the south and an alley to the east into a single lot.

**Section 5.** That this ordinance is further conditioned by the requirement that no rear building elevation will face Taylor Avenue, Maryland Avenue or Emerald Avenue.

**Section 6.** That this ordinance is further conditioned on the applicant obtaining all applicable permits and a Certificate of Occupancy for the proposed use.

**Section 7.** That this ordinance shall take effect and be in force from and after the earliest period allowed by law.