



Legislation Details (With Text)

File #: 0008-2017 **Version:** 2

Type: Ordinance **Status:** Passed

File created: 12/28/2016 **In control:** Zoning Committee

On agenda: 1/23/2017 **Final action:** 1/26/2017

Title: To grant a Variance from the provisions of Section 3333.255, Perimeter yard, of the Columbus City Codes; for the property located at 871 INGLESIDE AVENUE (43215), to permit a multi-unit residential development with reduced perimeter yard in the AR-2, Apartment Residential District (Council Variance # CV16-066).

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD0008-2017AttachmentsAmended, 2. ORD0008-2017_Attachments, 3. ORD0008-2017_Labels

Date	Ver.	Action By	Action	Result
1/26/2017	2	CITY CLERK	Attest	
1/26/2017	2	MAYOR	Signed	
1/23/2017	2	COUNCIL PRESIDENT	Signed	
1/23/2017	1	Zoning Committee	Waive the 2nd Reading	Pass
1/23/2017	1	Zoning Committee	Amended as submitted to the Clerk	Pass
1/23/2017	1	Zoning Committee	Approved as Amended	Pass

Council Variance Application: CV16-066

APPLICANT: Pickett Companies, c/o Donald Plank, Atty.; 423 East Town Street, 2nd Floor; Columbus, OH 43215.

PROPOSED USE: Multi-unit residential development.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The applicant has received a recommendation of approval from Staff and the Development Commission for a concurrent rezoning (Ordinance # 0007-2017; Z16-066) to the AR-2, Apartment Residential District, to allow a multi-unit residential development. The applicant is requesting a variance to reduce the perimeter yard for the proposed four-story, two-building, ~~247-~~ **245** unit apartment complex. The reduced perimeter yard is supportable because it enhances the open space along the river and allows the buildings to be positioned closer to the street complementing the multi-unit residential development directly ~~east~~ **north** across Quality Place. Additionally, staff recognizes site constraints (easements) that prohibit development on portions of the site, and that the requested variance is reflective of recent residential infill development in urban neighborhoods.

To grant a Variance from the provisions of Section 3333.255, Perimeter yard, of the Columbus City Codes; for the property located at **871 INGLESIDE AVENUE (43215)**, to permit a multi-unit residential development with reduced perimeter yard in the AR-2, Apartment Residential District (Council Variance # CV16-066).

WHEREAS, by application # CV16-066, the owner of property at **871 INGLESIDE AVENUE (43215)**, is requesting a

Council variance to permit a multi-unit residential development with reduced perimeter yard the AR-2, Apartment Residential District; and

WHEREAS, Section 3333.255, Perimeter yard, requires a minimum perimeter yard of 25 feet, while the applicant proposes reduced perimeter yard along the north, east and south property lines from twenty-five (25) feet to between zero (0) and ~~ten (10)~~ **twenty (20)** feet as depicted on the site plan titled, “**INGLESIDE APARTMENTS**”; and

WHEREAS, City Departments recommend approval because the variance is reflective of recent residential infill development in urban neighborhoods and will allow the development to be compatible with the emerging development pattern of the area; and

WHEREAS, said ordinance requires separate submission for all applicable permits and Certificates 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 **871 INGLESIDE AVENUE (43215)**, 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 3333.255, Perimeter yard, of the Columbus City Codes, are hereby granted for the property located at **871 INGLESIDE AVENUE (43215)**, insofar as said section prohibits a reduced perimeter yard along the north, east and south property lines from twenty-five (25) feet to between zero (0) and ~~ten (10)~~ **twenty (20)** feet as depicted on the site plan titled, “**INGLESIDE APARTMENTS**”; said property being more particularly described as follows:

871 INGLESIDE AVENUE (43215), being 7.03± acres located at the southwest corner of Ingleside Avenue and Buttles Avenue, and being more particularly described as follows:

Parcel: 010-005889

Being Situated in the State of Ohio, County of Franklin, City of Columbus, and being part of half Sections 8,9, Township 5, Range 22, Refugee Lands, AND BEING ALL OF A 2.10 acre tract (Tract #1), all of a 0.143 acre tract (Tract #2), all of a 0.927 acre tract (Tract #3), all of a 1.13 acre tract (Tract #17), conveyed to Dresser Industries, Inc., shown of record in Deed Book 2139, Pages 466, 456, and all of a 2.26 acre tract conveyed to Dresser Industries, Inc. shown of record in Deed Book 2148, Page 370 (99 year lease, lease Record 141, Page 83), Recorder’s office, Franklin County, Ohio and being more particularly described as follows:

Beginning at an iron pin of the westerly line of Ingleside Avenue (40 feet wide) at the southeasterly corner of said 0.092 acre tract, and a corner of said 1.13 acre tract, said point being at the intersection of the westerly line of said Ingleside Avenue, with the centerline of a Buttles Avenue (70 feet wide), procedure westerly;

Thence, south 2° 45’ 27” west, along the westerly line of said Ingleside Avenue, and along the easterly line of said 1.13 acre tract, a distance of 7.40 feet to an iron pin at the southeasterly corner of said 1.13 acre tract, and the northeasterly corner of a 1.045 acre tract conveyed to the Jennings-Lawrence Company shown of record in Deed Book 2493, Page 659;

Thence north 87° 11’ 03” west, along the southerly line of said 1.13 acre tract, and along the northerly line of said 1.045

acre tract, and along the northerly line of a 1.169 acre tract conveyed to Summer and Company shown of record in Deed Book 1998, Page 362, a distance of 305.22 feet to an iron pin at a corner of said 1.13 acre tract, and a corner of said 1.169 acre tract;

Thence, north 2° 45' 27" east along a line of said 1.13 acre tract, and a line of said 1.169 acre tract, and along a line parallel with the westerly line of said Ingleside Avenue, a distance of 33.20 feet to an iron pin at a corner of said 1.13 acre tract, and a corner of said 1.169 acre tract;

Thence north 87° 11' 03" west, along the southerly line of said 1.13 acre tract and along the northerly line of said 1.169 acre tract, passing iron pins on a line at 120.35 feet, 270.13 feet, a total distance of 357.13 feet to a point in the center of the Olentangy River at the southwesterly corner of said 1.13 acre tract, and the northwesterly corner of said 1.169 acre tract;

Thence north 4° 03' 13" west along the center of the Olentangy River, and along the westerly line of said 1.13 acre tract, and along the westerly line of said 2.10 acre tract, a distance of 223.55 feet to a point at the northwesterly corner of said 2.10 acre tract, and the southwesterly corner of said 2.26 acre tract;

Thence north 1° 11' 10" west, along the center of the Olentangy River, and along the westerly line of said 2.26 acre tract, and along the westerly line of said 0.927 acre tract, a distance of 254.27 feet to a point of the northwesterly corner of said 0.927 acre tract, and the southwesterly corner of a 1.056 acre tract conveyed to the Columbus Forge and Iron Company shown of Record in Deed Book 346, Page 39;

Thence south 87° 11' 03" east, along the northerly line of said 1.13 acre tract, and along the southerly line of said 4.056 acre tract, a distance of 504.03 feet to an iron pin on the westerly line of Neil Factory Switch at the northeasterly corner of said 0.927 acre tract;

Thence, in a southerly direction, along the westerly line of Neil Factory Switch, and along the easterly line of said 0.927 acre tract, and along the ARC of a curve to the left having a radius of 915 feet, more or less, along Chord Bearing and distance of south ° 33' east; 11.55 feet to an iron pin at a point of reverse curvature;

Thence, in a southerly direction, continuing along the westerly line of Neil Factory Switch and along the easterly line of said 0.927 acre tract, and along the easterly line of said 2.26 acre tract, and along the arc of a curve to the right having a radius of 940 feet, more or less, along Chord Bearing and distance of south 26° 21' 15" east, 279.93 feet to an iron pin on the northerly line of said 2.10 acre tract, and at southeasterly corner of said 2.26 acre tract;

Thence south 87° 11' 03" east, along the northerly line of said 2.10 acre tract, a distance of 59.13 feet to an iron pin on the westerly line of said Ingleside Avenue at the northeasterly corner of said 2.10 acre tract;

Thence south 2° 45' 27" west along the westerly line of said Ingleside Avenue, and along the easterly line of said 2.10 acre tract, and along the easterly line of said 0.092 acre tract, a distance of 247.75 to the place of beginning, containing 7.027 acres.

All references used in this description can be found at the Recorder's Office, Franklin County, Ohio.

SECTION 2. That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for a multi-unit residential development containing up to 247 units, or those uses permitted in the AR-2, Apartment Residential District.

SECTION 3. That this ordinance is further conditioned on the subject site being developed in general conformance with the site plan titled, "**INGLESIDE APARTMENTS**" drawn by Advanced Civil Design Engineers, dated ~~December 15, 2016~~ **January 19, 2017**, and signed by Donald Plank, Attorney for the Applicant. The plan may be slightly adjusted to reflect engineering, topographical, or other site data developed at the time of the development and when engineering and architectural drawings are completed. Any slight adjustments to the plan shall be subject to review and approval by the

Director of the Department of Building and Zoning Services, or a designee, upon submission of the appropriate data regarding the proposed adjustment.

SECTION 4. That this ordinance is further conditioned on the applicant obtaining all applicable permits and Certificates of Occupancy for the proposed use.

SECTION 5. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.