



Legislation Details (With Text)

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Type: Ordinance **Status:** Passed

File created: 6/20/2017 **In control:** Zoning Committee

On agenda: 7/10/2017 **Final action:** 7/12/2017

Title: To grant a Variance from the provisions of Sections 3333.23, Minimum side yard permitted; and 3333.24, Rear yard; of the Columbus City Codes; for the property located at 1234 STEELWOOD ROAD (43212), to permit reduced side and rear yards to reflect as-built conditions of an apartment building in the L-AR-1, Limited Apartment Residential District and to declare an emergency (Council Variance # CV16-074).

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD1697-2017_Attachments, 2. ORD1697-2017_Labels

Date	Ver.	Action By	Action	Result
7/12/2017	2	CITY CLERK	Attest	
7/12/2017	2	MAYOR	Signed	
7/10/2017	2	COUNCIL PRESIDENT	Signed	
7/10/2017	1	Zoning Committee	Amended to Emergency	Pass
7/10/2017	1	Zoning Committee	Approved as Amended	Pass

Council Variance Application: CV16-074

APPLICANT: The Griff, LLC; c/o Jill S. Tangeman, Atty.; 52 East Gay Street; Columbus, OH 43215.

PROPOSED USE: Apartment building.

FIFTH BY NORTHWEST 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 No. 1696-2017; Z16-075) to the L-AR-1, Limited Apartment Residential District to convert an existing extended-stay hotel into a 288-unit apartment building. A variance is necessary because the as-built conditions do not meet the code-required side and rear yard for the AR-1, Apartment Residential District. Staff finds the requested variances to be supportable as they conform as-built conditions and are reflective of variances that are typically requested for new residential urban-infill.

To grant a Variance from the provisions of Sections 3333.23, Minimum side yard permitted; and 3333.24, Rear yard; of the Columbus City Codes; for the property located at **1234 STEELWOOD ROAD (43212)**, to permit reduced side and rear yards to reflect as-built conditions of an apartment building in the L-AR-1, Limited Apartment Residential District **and to declare an emergency** (Council Variance # CV16-074).

WHEREAS, by application # CV16-074, the owner of property at **1234 STEELWOOD ROAD (43212)**, is requesting a Council variance to permit reduced side and rear yards to reflect as-built conditions of an apartment building in the L-AR-1, Limited Apartment Residential District; and

WHEREAS, Section 3333.23, Minimum side yard permitted, required a side yard of no less than five feet, while the applicant proposes to conform the existing side yard along the north property line of zero feet; and

WHEREAS, Section 3333.24, Rear yard, requires that each dwelling, apartment house, or other principal building shall be erected so as to provide a rear yard totaling no less than 25 percent of the total lot area, while the applicant proposes to conform the existing rear yard totaling 10 percent of the total lot area; and

WHEREAS, the Fifth by Northwest Area Commission recommends approval; and

WHEREAS, the City Departments recommend approval because the variances conform existing side and rear yards and are reflective of variances that are typically requested for new residential urban-infill; and

WHEREAS, this ordinance requires separate submission for all applicable permits and a 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 **1234 STEELWOOD ROAD (43212)**, in using said property as desired; and

WHEREAS, an emergency exists in the usual daily operation in the City of Columbus in that it is immediately necessary to pass this ordinance to begin construction as soon as possible for the immediate preservation of the public peace, property, health and safety; now, therefore:

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That a variance from the provisions of Sections 3333.23, Minimum side yard permitted; and 3333.24, Rear yard, of the Columbus City Codes, is hereby granted for the property located at **1234 STEELWOOD ROAD (43212)**, insofar as said sections prohibit a reduced minimum side yard from five feet to zero feet; and a reduced rear yard from 25 percent of the total lot area to 10 percent; said property being more particularly described as follows:

1234 STEELWOOD ROAD (43212), being 7.95± acres located on the north side of Steelwood Road, 1,100± feet west of Kenny Road, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin, City of Columbus, in Quarter Section 3, Township 1, Range 18, United States Military Lands, being all of the tracts of land conveyed to Sleeper Associates Limited Partnership as shown of record in Official Record Volume 8416, page D-01, Recorder's Office, Franklin County, Ohio (all deed references made being to said Recorder's Office, unless otherwise noted), and being more particularly described as follows:

Commencing at a found iron pin at the southwest corner of Steelwood Road as the same is dedicated upon the recorded plat thereof, of record in Plat Book 30, page 46, said pin being the southeast corner of the City of Columbus 0.043 acre tract (Deed Book 3083, page 545) and the northeast corner of the Sun Life Assurance Company of Canada 5.108 acre tract (Deed Book 3073, page 249);

Thence, along the southerly line of said 0.043 acre tract, part of the northerly line of said 5.108 acre tract, North 87 degrees 34 minutes West, 25.00 feet to a found iron pin at the southwest corner of said 0.043 acre tract and the TRUE POINT OF BEGINNING OF THIS DESCRIPTION;

Thence, continuing along the northerly line of said 5.108 acre tract and the northerly line of the John R. and Sue E. Greer 7.693 acre tract (Official Record Volume 2349, page E-17) North 87 degrees 34 minutes West, 919.31 feet to a point at the northwest corner of said 7.693 acre tract and in the east line of Reserve "A" of Northwest Gardens, as the same is delineated upon the recorded plat thereof, of record in Plat Book 34, page 97, said point is referenced by a drill hole 1.0 foot westerly thereof, said drill hole being in the top of a concrete wall;

Thence, along part of said easterly line of Reserve "A" and part of the easterly line of Lot 1 of said Northwest Gardens, North 02 degrees 46 minutes East, 390.76 feet to a found iron pin at the southwest corner of the Chesapeake & Ohio Railway Co. 0.023 acre tract;

Thence, along the southerly line of said 0.023 acre tract and the southerly line of the Chesapeake Realty Development Corporation 0.572 acre tract, parallel with and 8 feet southerly of, as measured at right angles to the southerly line of Lewis Sells Subdivision, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 8 page 6-B, South 87 degrees 33 minutes East, 296.16 feet to a found iron pin at an angle point in said line;

Thence, continuing along said line, South 80 degrees 33 minutes East, 303.21 feet to a found iron pin at an angle point in said line;

Thence, continuing along said line and parallel with and 45 feet southerly from, as measured at right angles to said southerly line of Lewis Sells Subdivision, South 87 degrees 33 minutes East, 164.80 feet to a found iron pin at an angle point in said line;

Thence, continuing with said line, South 81 degrees 12 minutes East, 180.54 feet to a set iron pin at the southeast corner of said 0.572 acre tract, and in the westerly line of the High Street Development Company 3.148 acre tract (Official Record Volume 5251, page J-08);

Thence, along part of the westerly line of said 3.148 acre tract South 02 degrees 18 minutes 37 seconds West, 258.53 feet to a found iron pin at the northeast corner of said City of Columbus 0.043 acre tract;

Thence, along the northerly line of said 0.043 acre tract, North 87 degrees 34 minutes West, 25.00 feet to a found iron pin at the northwest corner of said 0.043 acre tract;

Thence, along the westerly line of said 0.043 acre tract, South 02 degrees 18 minutes 37 seconds West, 75.00 feet to the point of beginning, CONTAINING 7.950 ACRES, subject however to all legal highways, easements, leases and restrictions of record and of records in the respective utility offices.

Iron pins set are 30" x 1" O.D. with orange plastic caps inscribed "P.S. 6579". Basis of bearings is the south line of Parcel 2, North 87 degrees 34 minutes West, as described in Official Record Volume 8416, page D-01. Myers Surveying Company, Albert J. Myers, P.S. 6579.

Property Parcel: 010-016574

Property Address: 1234 Steelwood Road, Columbus, OH 43212.

SECTION 2. That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for an apartment building containing up to 288 units, or those uses permitted in the L-AR-1, Limited Apartment Residential District, specified by Ordinance No. 1696-2017; Z16-075.

SECTION 3. That this ordinance is further conditioned on 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.~~
That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or 10 days after its passage if the Mayor neither approves nor vetoes the same.