



## Legislation Details (With Text)

**File #:** 0032-2020      **Version:** 1

**Type:** Ordinance      **Status:** Passed

**File created:** 12/26/2019      **In control:** Zoning Committee

**On agenda:** 1/13/2020      **Final action:** 1/15/2020

**Title:** To amend Ordinance #3147-2019, passed December 16, 2019 (CV19-098), for the property located at 931-937 W. TOWN ST. (43222), to repeal Section 1 and replace it with a new Section 1 thereby reflecting the correct requested variances (Council Variance #CV19-098A).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD0032-2020\_Attachments

Date	Ver.	Action By	Action	Result
1/15/2020	1	CITY CLERK	Attest	
1/14/2020	1	MAYOR	Signed	
1/13/2020	1	COUNCIL PRESIDENT	Signed	
1/13/2020	1	Zoning Committee	Waive the 2nd Reading	Pass
1/13/2020	1	Zoning Committee	Approved	Pass

### Council Variance Application: CV19-098A

Ordinance #3147-2019, passed December 16, 2019 (CV19-098), allowed a ten-unit apartment building in the AR-1 Apartment Residential District and an 11-space parking lot serving the apartment building in the R-2F Residential District on property located at 931-937 W. Town Street. The necessary variances were accurately reflected in the Title of Ordinance #3147-2019, but were inadvertently left out of Section 1. This ordinance amends Section 1 of Ordinance #3147-2019 to include the variances necessary for this project. No other provisions of Ordinance #3147-2019 are changing.

**FRANKLINTON AREA COMMISSION RECOMMENDATION:** Approval.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval.

To amend Ordinance #3147-2019, passed December 16, 2019 (CV19-098), for the property located at **931-937 W. TOWN ST. (43222)**, to repeal Section 1 and replace it with a new Section 1 thereby reflecting the correct requested variances (Council Variance #CV19-098A).

**WHEREAS**, Ordinance #3147-2019, passed December 16, 2019 (CV19-098), allowed a ten-unit apartment building in the AR-1, Apartment Residential District and an 11-space parking lot serving the apartment building in the R-2F, Residential District at **931-937 W. TOWN ST. (43222)**; and

**WHEREAS**, Section 1 of Ordinance #3147-2019 did not include all of the sections of the Zoning Code to be varied for

the project; and

**WHEREAS**, it is necessary to amend Section 1 of Ordinance #3147-2019 to include the correct requested variances; and

**WHEREAS**, all other provisions contained in Ordinance #3147-2019 are unaffected by this amendment and remain in effect, and are repeated below for clarity and consistency; now, therefore:

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

**SECTION 1.** That the existing Section 1 of Ordinance #3147-2019, passed December 16, 2019 (CV19-098), be hereby repealed and replaced with a new Section 1 reading as follows:

**SECTION 1.** That a variance is hereby granted from the provisions of **Sections 3332.037, R-2F, residential district; 3312.21(A)(B)(D), Landscaping and screening; 3312.27(3), Parking setback line; 3312.49, Minimum numbers of parking spaces required; 3321.05(B)(1)(2), Vision clearance; 3332.25, Maximum side yards required; 3332.26, Minimum side yard permitted; 3333.18(D)(2), Building lines; and 3333.24, Rear yard**, of the Columbus City Codes; for the property located at **931-937 W. TOWN ST. (43222)**, insofar as said sections prohibit a private parking lot in the R-2F, Residential District; with no tree islands in the parking lot but will instead provide the two required parking lot trees in the rear yard of the apartment building site; no perimeter screening on the east side of the parking lot for a distance of 30 feet from Walnut Street due to an existing fence on the neighboring property, with a privacy fence screening the balance of the parking lot, but not within a 4-foot wide landscaped area; headlight screening within the right-of-way of Hawkes Avenue subject to the approval of the Department of Public Service; a reduced parking setback line from 25 feet to 0 feet along Hawkes Avenue; a parking space reduction from 15 spaces to 4 spaces on the apartment building site, noting that the 11-space private parking lot will be used exclusively for the apartment building; encroachment into the 10 feet by 10 feet clear vision triangle at the intersection of Hawkes Avenue and Walnut Street with a parking space; encroachment into the 30 feet by 30 feet clear vision triangle at the intersection of West Town Street and Hawkes Avenue with a portion of the proposed apartment building; a reduced maximum side yard from 8.2 feet to 0 feet for the proposed parking lot; no side yards for the proposed parking lot where 5 feet is required; reduced building lines from 12 feet to 0 feet after right-of-way dedication from the centerline along West Town Street, and from 25 feet to 14 feet along Hawkes Avenue for the apartment building; reduced side yards from 5 feet to 3.37 feet for the apartment building and 2 feet for the dumpster along the east property line; and a reduced side yard from 25 percent to 20 percent for the apartment building said property being more particularly described as follows:

**931-937 W. TOWN ST. (43222)**, being 0.44± acres located at the southeast corner of West Town Street and Hawkes Avenue, and being more particularly described as follows:

**PARCEL ONE**

Situated in the state of Ohio, county of Franklin, city of Columbus, and being Lot Numbers 57, 58, and 59 in B.F. Martin Western Addition, as numbered, delineated, and recorded in Plat Book 2, Page 214, Recorder's Office, Franklin County, Ohio; however, excepting from Lot Numbers 57 and 58 the following described real property:

Beginning at the southeast corner of Lot Number 57, which point is also the north line of a twenty foot (20') alley;

Thence in a westerly direction and with the southerly lines of Lot Numbers 57 and 58, a distance of 46.28 feet to a point in the south line of Lot Number 58;

Thence northerly and parallel to the lot line between Lot Numbers 57 and 58, a distance of 32 feet to a point in Lot No 58;

Thence easterly direction and parallel with the southerly lines of Lot Numbers 57 and 58, a distance of 8.65 feet to a point in Lot No 57, which point is 2.4 east of the west line of Lot Number 57;

Thence in a northerly direction and parallel to the lot line between Lot Numbers 57 and 58, a distance of 140.57 feet to a point in the north line of Lot Number 57 and being the southerly line of Town Street, which point is 2.4 feet east of the northwest corner of Lot Number 57;

Thence easterly direction and with the north line of Lot Number 57, a distance of 37.6 feet to the northwest corner of Lot Number 57;

Thence southerly and with the easterly line of Lot Number 57, a distance of 172.57 feet to the Place of Beginning.

Parcel Number: All of 010-053450;

Address: 931-937 W. Town St., Columbus, OH 43222

## PARCEL TWO

Situated in the State of Ohio, County of Franklin and City of Columbus:

Being part of Lots Numbers Sixty (60) and Sixty-One (61) in B.F. MARTIN'S WESTERN ADDITION, Plat Book 2, Page 214, Recorder's Office, Franklin County, Ohio, and being more particularly described as follows;

Beginning at an iron pin set in the Southwest corner of said Lot 60,

Thence Easterly and along the South lines of said Lots 60 and 61, 41.16 feet to an iron pin set in the South line of said Lot 61, and the North line of West Rich Street,

Thence Northerly parallel with the West line of said Lot 60, 99.55 feet to an iron pin,

Thence Westerly parallel with the South lines of said Lots 61 and 60, 41.16 feet to an iron pic set in the East line of Hawkes Avenue and the West line of said Lot 60,

Thence Southerly and along the East line of said Hawkes Avenue and the West line of said Lot 60, 99.55 feet to the place of beginning; subject however to all easements of record.

Parcel Number: 010-075462-00

Address: 936 West Rich Street, Columbus, Ohio 43222

## PARCEL THREE

Situated in the State of Ohio, County of Franklin and in the City of Columbus:

Being the North Half of Lot Number Sixty (60) and Ten (10) feet off the entire West side of Lot Number Sixty-One (61), in B.F. MARTIN'S WESTERN ADDITION, as the same is numbered and delineated upon the recorded plat thereof, excepting therefrom, 99.5 feet off the South end thereof, or record in Plat Book 2, page 216, Recorder's Office, Franklin County, Ohio.

Parcel Number: 010-020300-00

Address: 202-204 Hawkes Avenue, Columbus, Ohio 43222

**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 and private parking lot, or those uses permitted in the R-2F, Residential and AR-1, Apartment Residential districts.

**SECTION 3.** That this ordinance is further conditioned on the Subject Site being developed in general conformance with the site plan titled "**TOWN SQUARE STATION HAWKES AVENUE**," the landscape plan titled "**TOWN SQUARE STATION LANDSCAPE PLAN**," and the elevation drawing titled, "**TOWN SQUARE STATION APARTMENT BUILDING**," all dated November 25, 2019 and signed by Laura MacGregor Comek, Attorney for the Applicant. The plans 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 plans shall be subject to review and approval by the Director of the Department 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 upon the applicant obtaining all applicable permits and Certificates of Occupancy for the proposed uses.

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