



## Legislation Details (With Text)

**File #:** 1980-2021      **Version:** 1

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

**File created:** 7/8/2021      **In control:** Zoning Committee

**On agenda:** 7/26/2021      **Final action:** 7/28/2021

**Title:** To grant a Variance from the provisions of Sections 3312.21(A)(2),(D)(1), Landscaping and screening; and 3312.49 Minimum numbers of parking spaces required, of the Columbus City Codes; for the property located at 980 E. RICH ST. (43205), to permit reduced development standards for an apartment building in the AR-3, Apartment Residential District (Council Variance #CV20-121).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD1980-2021\_Attachments, 2. ORD1980-2021\_Labels

Date	Ver.	Action By	Action	Result
7/28/2021	1	CITY CLERK	Attest	
7/27/2021	1	MAYOR	Signed	
7/26/2021	1	Zoning Committee	Approved	Pass
7/26/2021	1	COUNCIL PRESIDENT	Signed	
7/19/2021	1	Columbus City Council	Read for the First Time	

**Council Variance Application: CV20-121**

**APPLICANT:** Blue Chip Homes, LLC; c/o Dave Perry, Agent; David Perry Company, Inc.; 411 East Town Street, 1st Floor; and Donald Plank, Atty.; Plank Law Firm; 411 East Town Street, 2nd Floor; Columbus, OH 43215.

**PROPOSED USE:** Nineteen-unit apartment building.

**NEAR EAST 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 request to the AR-3, Apartment Residential District (Ordinance #1979-2021; Z20-107) to permit multi-unit residential development. The applicant requests variances to parking lot landscaping and screening and a parking space reduction from 29 to 19 parking spaces for a proposed 19-unit apartment building. Staff finds the requested variances to be supportable because the site and conceptual building elevations are consistent with the *Near East Area Plan's* (2005) design guidelines. The request is consistent with recent residential infill redevelopment projects in the Near East area and the design is reflective of the housing types in the area.

To grant a Variance from the provisions of Sections 3312.21(A)(2),(D)(1), Landscaping and screening; and 3312.49 Minimum numbers of parking spaces required, of the Columbus City Codes; for the property located at **980 E. RICH ST. (43205)**, to permit reduced development standards for an apartment building in the AR-3, Apartment Residential District (Council Variance #CV20-121).

**WHEREAS**, by application #CV20-121, the owner of property at **980 E. RICH ST. (43205)**, is requesting a Council variance to permit reduced development standards for a nineteen-unit apartment building in the AR-3, Apartment Residential District; and

**WHEREAS**, Section 3312.21(A)(2), Landscaping and screening, requires that interior parking lot trees shall be planted in landscaped islands or peninsulas containing a minimum soil area of 145 square feet per tree with a minimum radius of 4 feet, while the applicant proposes two parking lot tree islands with reduced soil areas of 94 square feet and 85 square feet, respectively, and reduced radii of 3 feet and 2.5 feet, respectively; and

**WHEREAS**, Section 3312.21(D)(1), Landscaping and screening, requires that screening be provided for parking lots located within 80 feet of residentially-zoned property within a landscaped area at least 4 feet in width, while the applicant proposes parking lot screening in a landscaped area that is only 3 feet wide along the north property line; and

**WHEREAS**, Section 3312.49 Minimum numbers of parking spaces required, requires 1.5 parking spaces per dwelling unit, or 29 spaces for 19 apartment units, while the applicant proposes 19 spaces; and

**WHEREAS**, the Near East Area Commission recommends approval; and

**WHEREAS**, the City Departments recommend approval because the site is designed in a manner that is consistent with the *Near East Area Plan's* design guidelines. The request is consistent with recent residential infill redevelopment projects in the Near East area and the design is reflective of the housing types in the area; and

**WHEREAS**, this ordinance requires separate submission for all applicable permits and a Certificate of Occupancy for the proposed development; 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 **980 E. RICH ST. (43205)**, 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 3312.21(A)(2),(D)(1), Landscaping and screening; and 3312.49 Minimum numbers of parking spaces required, of the Columbus City Codes, is hereby granted for the property located at **980 E. RICH ST. (43205)**, insofar as said sections prohibit a 19-unit apartment building development with two parking lot tree islands having reduced soil areas from 145 square feet to 94 square feet and 85 square feet, respectively, and reduced radii from 4 feet to 3 feet and 2.5 feet, respectively; reduced parking lot screening width from 4 feet to 3 feet along the north property line; and a reduction in the required number of parking spaces from 29 to 19; said property being more particularly described as follows:

**980 E. RICH ST. (43205)**, being 0.35± acres located at the northeast corner of East Rich Street and South 20th Street, and being more particularly described as follows:

**Parcel 1:**

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

Being Seventy (70) feet off the south end of the following described premises: Being Twenty-Three feet off of the east side of Lot Twenty (20) of Frederick Michael at al. Subdivision, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 2, Page 129, Recorder's Office, Franklin County, Ohio

AND ALSO

**Parcel 2:**

Situated in the County of Franklin, in the State of Ohio and in the City of Columbus and bounded and described as follows:

Being Thirty-Three and Six-Tenths (33.6) feet, more or less, the west Two-Thirds parcel of Lot Number Twenty-Nine (29) of Frederick Michel and others Subdivision of Lots Nos. 2, 3, 4, 5, 6, and 7, of Rickley's Subdivision, the East Half of the South part of Lot No. 6 of Bryden and others Subdivision, all in half Section 24, Township 5, Range 22. Also Lot Number One (1) of Hoffman McGrew's Addition and half Section 23, all of said lots being in the City of Columbus, Ohio, as said Lot No. 29 is numbered and delineated upon the recorded plat thereof, of record in Plat Book No. 2, Page 129, Recorder's Office, Franklin County, Ohio.

**Parcel Numbers:** 010-020650 & 010-028010

**Property Address:** 980 East Rich Street, Columbus, Ohio 43205

**SECTION 2.** That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for a maximum nineteen-unit apartment building as permitted in the AR-3, 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, "**ZONING PLAN FOR 980 E. RICH ST.**," dated June 18, 2021, and signed by David B. Perry, Agent for the Applicant, and 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 a Certificate of Occupancy for the proposed development.

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