



## Legislation Details (With Text)

**File #:** 1071-2021      **Version:** 1

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

**File created:** 4/22/2021      **In control:** Zoning Committee

**On agenda:** 10/25/2021      **Final action:** 10/27/2021

**Title:** To grant a Variance from the provisions of Section 3333.255, Perimeter yard, of the Columbus City Codes; for the property located at 5364 THOMPSON RD. (43230), to permit a reduced perimeter yard for an apartment complex in the AR-1, Apartment Residential District (Council Variance #CV20-021).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD1071-2021.Attachments, 2. ORD1071-2021.Labels

Date	Ver.	Action By	Action	Result
10/27/2021	1	CITY CLERK	Attest	
10/26/2021	1	MAYOR	Signed	
10/25/2021	1	Zoning Committee	Approved	Pass
10/25/2021	1	Zoning Committee	Adopt the findings of staff as the findings of Council	Pass
10/25/2021	1	Zoning Committee	Taken from the Table	Pass
10/25/2021	1	COUNCIL PRESIDENT	Signed	
10/18/2021	1	Zoning Committee	Adopt the findings of staff as the findings of Council	Pass
10/18/2021	1	Zoning Committee	Tabled to Certain Date	Pass
10/11/2021	1	Columbus City Council	Read for the First Time	

### Council Variance Application: CV20-021

**APPLICANT:** 5364 Thompson Road LLC; c/o David Hodge, Atty.; 8000 Walton Parkway, Suite 260; New Albany, OH 43054.

**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 request to the AR-1, Apartment Residential District (Ordinance #1070-2021; Z20-017) to allow a multi-unit residential development. The requested Council variance proposes an 88-unit apartment development with a variance to reduce the north and east perimeter yards where adjacent to another apartment complex. Staff supports the variance as it includes a central green space, pedestrian connectivity throughout the development, and additional setbacks and screening to the west in consideration of an adjacent single-unit subdivision.

To grant a Variance from the provisions of Section 3333.255, Perimeter yard, of the Columbus City Codes; for the

property located at **5364 THOMPSON RD. (43230)**, to permit a reduced perimeter yard for an apartment complex in the AR-1, Apartment Residential District (Council Variance #CV20-021).

**WHEREAS**, by application #CV20-021, the owner of property at **5364 THOMPSON RD. (43230)**, is requesting a Council variance to permit a reduced perimeter yard for an apartment complex in the AR-1, Apartment Residential District; and

**WHEREAS**, Section 3333.255, Perimeter yard, requires a perimeter yard of 25 feet, while the applicant proposes a reduced perimeter yard of 15 feet along the north and east perimeters; and

**WHEREAS**, the City Departments recommend approval because the requested variance is consistent with infill residential developments in this area. The reduced perimeter yard is adjacent to another apartment complex, and allows for the inclusion of a central green space and additional setbacks and screening to the west in consideration of an adjacent single-unit subdivision; and

**WHEREAS**, said 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 roads, 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 **5364 THOMPSON RD. (43230)**, 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; for the property located at **5364 THOMPSON RD. (43230)**, insofar as said section prohibits a reduced perimeter yard from 25 feet to 15 feet along the north and east perimeters; said property being more particularly described as follows:

**5364 THOMPSON RD. (43230)**, being 3.84± acres located on the north side of Thompson Road, 390± feet east of Preservation Avenue, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin, Township of Plain, Quarter Township 3, Township 2, Range 16, United States Military Lands and containing 3.84 acres, said 3.84 acres being part of that tract of land as conveyed to 5364 Thompson Road LLC of record in Instrument No. 202001030000878 and more particularly described as follows:

Beginning, at the northeasterly corner of said 5364 Thompson Road LLC tract, said corner also being a southwesterly corner of that 12.439 acre tract of land as conveyed to Palmer House Borrower LLC of record in Instrument No. 201510080143032 and being at the intersection of the westerly line of an existing City of Columbus Corporation Line (Case #92-88, Ord. #639-89, O.R. 13294, P. D07, P.B. 70, P. 2 I) and a southerly line of an existing City of Columbus Corporation Line (Case #69-95, Ord. #985-96, O.R. 32248, P. 020);

Thence S 03° 17' 16" W, with the easterly line of said 5364 Thompson Road LLC tract, the westerly line of said 12.439 acre tract and along said existing City of Columbus Corporation line (Case #92- 88, Ord. #639-89, O.R. 13294, P. D07, P.B. 70, P. 21), 438.52+/- feet to the northerly right-of-way line of Thompson Road (R.R. 14, P. 486), also being the northerly line of an existing City of Columbus Corporation Line (Case #25-04, Ord. #1296-04, J.N. 200411240269738);

Thence N 86° 48' 56" W, across said 5364 Thompson Road LLC tract, along said northerly right-of-way line and along the northerly line of said existing City of Columbus Corporation Line (Case #25-04, Ord. #1296-04, I.N. 200411240269738), 381.77+/- feet to a westerly line of said 5364 Thompson Road LLC tract, and an easterly line of an existing City of Columbus Corporation Line (Case #37-98, Ord. #3030-98, I.N. 199906140150568) and the southeasterly corner of Mayfair Place Final Plat of record in Plat Book 119, Page 60;

Thence N 03° 11' 03" E, with a westerly line of said 5364 Thompson Road LLC tract, an easterly line of said Mayfair Place Final Plat, an easterly line of said existing City of Columbus Corporation Line (Case #37-98, Ord. #3030-98, I.N. 199906140150568) and partially with an easterly line of an easterly line of an existing City of Columbus Corporation Line (Case #17-92, Ord. #2131-92, O.R. 21014, P. H12), 437.09+/- feet to the northwesterly corner of said 5364 Thompson Road LLC tract, also being a southwest corner of said 12.439 acre tract and at the intersection of the easterly line of said existing City of Columbus Corporation Line (Case # 17-92, Ord. #2131-92, O.R. 21014, P. H 12) and the southerly line of said existing City of Columbus Corporation Line (Case #69-95, Ord. #985-96, O.R. 32248, P. 020);

Thence S 87° 01' 47" E, with the northerly line of said 5364 Thompson Road LLC tract, the southerly line of said 12.439 acre tract and along said existing City of Columbus Corporation line (Case #69-95, Ord. #985-96, O.R. 32248, P. 020), 382.57+/- feet to the True Point of Beginning. Containing 3.84 acres, more or less. The above description was written by Advanced Civil Design on January 14, 2020. A drawing of the above description is attached hereto and made a part thereof.

The total length of the annexation perimeter is about 640 feet, of which about 1640 feet are contiguous with existing City of Columbus Corporation Lines, being about 100.00% contiguous. This annexation does not create any islands of township property.

Bearings are based on the bearing of N 03° 10' 56" E for the centerline of Preservation Avenue as recorded in Plat Book 107, Page 84.

**SECTION 2.** That this ordinance is conditioned on and shall remain in effect only for so long as said property is developed with those uses permitted in the AR-1, 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, "**SITE PLAN, THOMPSON ROAD,**" and building elevations titled, "**PREFERRED LIVING - THOMPSON RD.,**" all dated April 15, 2021, and signed by Eric Zartman, 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 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 uses.

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