



Legislation Details (With Text)

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Type: Ordinance **Status:** Passed

File created: 9/1/2022 **In control:** Zoning Committee

On agenda: 9/19/2022 **Final action:** 9/21/2022

Title: To grant a Variance from the provisions of Section 3333.02, AR-12, ARLD, and AR-1, apartment residential district use, of the Columbus City Codes; for the property located at 478 RYAN AVE. (43223), to permit a shared living facility in the ARLD, Apartment Residential District (Council Variance #CV22-034).

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD2432-2022_Attachments, 2. ORD2432-2022_Labels

Date	Ver.	Action By	Action	Result
9/21/2022	1	CITY CLERK	Attest	
9/20/2022	1	MAYOR	Signed	
9/19/2022	1	COUNCIL PRESIDENT	Signed	
9/19/2022	1	Zoning Committee	Accept entire staff report into evidence as an exhibit	Pass
9/19/2022	1	Zoning Committee	Approved	Pass
9/19/2022	1	Zoning Committee	Adopt the findings of staff as the findings of Council	Pass
9/12/2022	1	Columbus City Council	Read for the First Time	

Council Variance Application: CV22-034

APPLICANT: CRN Housing, LLC c/o Patricia Riley, Atty.; 130 West Second Street, Suite 310; Dayton, Ohio 45402.

PROPOSED USE: Shared living facility.

GREATER HILLTOP AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The site consists of one parcel developed with an apartment building in the ARLD, Apartment Residential District. The requested Council variance will allow a seven-unit shared living facility with an accessory general office area. A Council variance is necessary because the ARLD district does not permit shared living facilities. No other variances are requested. The site is located within the *Hilltop Land Use Plan* (2019), which recommends "Medium-high density residential" (16-24 du/ac) land uses for this location. The shared living facility results in a comparable density to the existing zoning district and will not add an incompatible use to the neighborhood.

To grant a Variance from the provisions of Section 3333.02, AR-12, ARLD, and AR-1, apartment residential district use, of the Columbus City Codes; for the property located at **478 RYAN AVE. (43223)**, to permit a shared living facility and

accessory general office uses in the ARLD, Apartment Residential District (Council Variance #CV22-034).

WHEREAS, by application #CV22-034, the owner of the property at **478 RYAN AVE. (43223)**, is requesting a Variance to permit a shared living facility with an accessory general office area in the ARLD, Apartment Residential District; and

WHEREAS, Section 3333.02, AR-12, ARLD, and AR-1, apartment residential district use, prohibits a shared living facility and accessory office uses in the ARLD, Apartment Residential District, while the applicant proposes a seven-unit shared living facility with a general office area; and

WHEREAS, the Greater Hilltop Area Commission recommends approval; and

WHEREAS, City Departments recommend approval because the requested Council variance will permit a shared living facility with a comparable density to the underlying zoning district and will not add an incompatible use to the neighborhood; 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 **478 RYAN AVE. (43223)**, in using said property as desired; now, therefore:

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

SECTION 1. That a variance is hereby granted from the provisions of Section 3333.02, AR-12, ARLD, and AR-1, apartment residential district use, of the Columbus City Codes; for the property located at **478 RYAN AVE. (43223)**, insofar as said sections prohibit a seven-unit shared living facility with an accessory general office area in the ARLD, Apartment Residential District; said property being more particularly described as follows:

478 RYAN AVE. (43223), being 0.40± acres located at the northeast corner of Ryan Avenue and Walsh Avenue, and being more particularly described as follows:

CITY OF COLUMBUS, COUNTY OF FRANKLIN, STATE OF OHIO SITUATED IN THE COUNTY OF FRANKLIN, STATE OF OHIO, AND IN THE CITY OF COIUMBUS, AND BOUNDED AND DESCRIBED AS FOLLOWS BEING PART OF THE ONE-HALF ACRE OF LAND OUT OF THE NORTHWEST COMER OF A TEN ACRE TRACT OF LAND AND MORE PARTICULARLY DESCRIBED AS FOLLOWS BEGINNING IN THE CENTER OF RYAN AVENUE AT A POINT OPPOSITE TO THE CENTER OF A ROAD RUNNING EAST AND WEST (NOW WALSH AVENUE);

THENCE EASTERLY IN THE CENTER OF SAID ROAD TO THE LINE OF JAMES WYGANFS LAND;

THENCE ALONG SAID WYGANFS LINE M A NORTHERLY DIRECTION TO THE LAND OF MRS. EBA;

THENCE IN A WESTERLY DIRECTION TO THE CENTER OF RYAN AVENUE;

THENCE SOUTHERLY IN THE CENTER OF RYAN AVENUE TO THE PLACE OF BEGINNING, BEING THE

SAME PREMISES DEEDED TO JONATHAN DONLEY BY SAMUEL F. SAMUEL AND WIFE BY DEED DATED DECEMBER 17, 1884 AND RECORDED IN DEED BOOK VOLUME 172, PAGE 34, RECORDERS OFFICE, FRANKLIN COUNTY, OHIO, EXCEPTING 5 FEET OFF THE NORTH END OF SAID PREMISES FOR ALLEY PURPOSES AND BEING THE PREMISES DEEDED TO FRED AND MYRTLE DONLEY BY DEED RECORDED IN DEED BOOK VOLUME 1016, PAGE 395, RECORDER S OFFICE, FRANKLIN COUNTY, OHIO- EXCEPTING THEREFROM THE FOLLOWING DESCRIBED LOT OFF THE NORTH END OF THE 1/2 ACRE TRACT WHICH WAS CONVEYED TO FRED AND MYRTLE DONLEY TO CALLIE M. BROOKE BY DEED DATED JUNE 15, 1943 AND RECORDED IN DEED BOOK 123C, PAGE 64 BEGINNING AT AN IRON PIPE IN THE EAST LINE OF RYAN AVENUE, 140.97 FEET NORTH OF THE NORTHEAST COMER OF RYAN AVENUE AND WALSH AVENUE;

THENCE ON A LINE AT RIGHT ANGLES TO RYAN AVENUE, EAST 99.42 FEET TO AN IRON PIPE IN THE EAST LINE OF AN ORIGINAL 1/2 ACRE TRACT OWNED BY THE GRANTORS HEREIN;

THENCE WITH SAID EAST LINE, NORTH 42.3 FEET TO AN IRON PIPE IN THE SOUTH LINE OF A 20 FOOT ALLEY;

THENCE WITH THE SOUTHERLY LINE OF SAID ALLEY, WESTERLY 99.67 FEET TO AN IRON PIPE IN THE EAST LINE OF RYAN AVENUE;

THENCE WITH SAID EAST LINE OF RYAN AVENUE, SOUTH 35.28 FEET TO THE PLACE OF BEGINNING, AND RESERVING 10 FEET OFF THE EAST END OF THE ABOVE DESCRIBED PREMISES FOR UTILITY AND DRIVEWAY PURPOSES. BEING ALSO DESCRIBED IN SURVEY NUMBER 12,218 (OF THE FRED A QD MYRTLE DONLEY TRACT AT 458-478 RYAN AVENUE, WHICH IS A PART OF LOT NUMBER 33 OF M.L. SULLIVANT *S FARM LOTS PREPARED BY RE. HECKER, REGISTERED SURVEYOR ON JUNE 7, 1943. BEING FURTHER DESCRIBED AS FOLLOWS BEGINNING AT A POINT AT THE INTERSECTION OF THE CENTERLINE OF WALSH AVENUE (30 FEET IN WIDTH) AND RYAN AVENUE (30 FEET IN WIDTH);

THENCE NORTH 8 DEGREES 09 MINUTES WEST, WITH CENTERLINE OF RYAN AVENUE, 158.10 FEET TO A POINT IN THE CENTERLINE OF RYAN AVENUE;

THENCE NORTH 81 DEGREES 51 MINUTES EAST, ON A LINE AT RIGHT ANGLES TO THE CENTERLINE OF RYAN AVENUE, 114.42 FEET TO AN IRON PIPE IN THE EAST LINE OF SAID FRED AND MYRTLE DONLEY TRACT;

THENCE 5.8 DEGREES 09 MINUTES EAST, ON A LINE PARALLEL TO THE CENTERLINE OF RYAN AVENUE, 142.83 FEET PASSING AN IRON PIPE AT 127.70 FEET AT THE POINT SAID EAST LINE INTERSECTS THE NORTHERLY LINE OF WALSH AVENUE TO THE CENTERLINE OF WALSH AVENUE;

THENCE SOUTH 74 DEGREES 15 MINUTES WEST WITH THE CENTERLINE OF WALSH AVENUE, 115.43 FEET TO THE PLACE OF BEGINNING AND CONTAINING 0.395 ACRE, OR 17,216 SQUARE FEET, MORE OR LESS.

Parcel Number: 010-012025

Property Address: 478 Ryan Ave., Columbus, OH 43223.

SECTION 2. That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for a shared living facility with an accessory general office area, or those uses permitted in the ARLD, Apartment Residential District.

SECTION 3. That this ordinance is further conditioned upon the applicant obtaining all applicable permits 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.