



Legislation Text

File #: 2008-2007, **Version:** 1

Council Variance Application: CV07-050

APPLICANT: Preferred Real Estate Investments II, LLC; c/o Robert A. Meyer, Jr., Atty.; 41 South High Street; Columbus, Ohio 43215.

PROPOSED USE: Stacked parking.

CITY DEPARTMENTS' RECOMMENDATION: Approval. This application is a companion council variance to rezoning application Z07-027 to rezone 12.4 acres from C-2, Commercial District to L-C-4, Limited Commercial (5.4 acres) and L-AR-12, Limited Apartment Residential (7 acres) Districts. This variance applies to the 7 acres proposed for rezoning to L-AR-12. The applicant is proposing to build multi-family dwelling units with one car garages, with the second required parking space per dwelling unit permitted as a stacked parking space in the driveway. Each parking space is required to have sufficient access and maneuvering area, so by allowing the stacked parking spaces directly behind the garage spaces, the garage spaces do not have the required maneuvering space. This variance will not reduce the amount of required parking. Additional parking will be provided on the site at the rate of one space per each six (6) dwelling units. The proposed development with stacked parking and the required additional parking is compatible with development in the area.

To grant a Variance from the provisions of Section 3342.15, Maneuvering, for the property located at **7331 SKYLINE DRIVE EAST (43235)**, to permit reduced maneuvering to allow stacked parking in the L-AR-12, Limited Apartment Residential District. (Council Variance #CV07-050)

WHEREAS, by application No. CV07-050, the owner of property at **7331 SKYLINE DRIVE EAST (43235)**, is requesting a Council variance to permit reduced maneuvering to allow stacked parking in the L-AR-12, Limited Apartment Residential District; and

WHEREAS, Section 3342.15, Maneuvering, requires every parking space to have sufficient access and maneuvering area, while the applicant proposes to build dwelling units with one car garages and to permit the second required parking space in the driveways in front of the garages; and

WHEREAS, City Departments recommend approval because the proposed stacked parking, with additional required parking, is compatible with development in the area and because additional parking spaces will be provided on-site; 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 **7331 SKYLINE DRIVE EAST (43235)**, in using said property as desired; now, therefore:

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

Section 1. Variances from the provisions of Section 3342.15, Maneuvering, for the property located at **7331 SKYLINE DRIVE**

EAST (43235), insofar as said section prohibits stacked parking in the driveway, said property being more particularly described as follows:

1.505 ACRES

Situated in the State of Ohio, County of Franklin, City of Columbus, lying in Quarter Township 1, Township 2, Range 19, United States Military Lands, being all of Lot 2 "Sawmill Road Office Park", a subdivision of record in Plat Book 58, Page 80, as conveyed to F.I.G. Holding Company by deeds of record in Official Records 2404 F18 and 8789 J08, (all references are to the records of the Recorder's Office, Franklin County, Ohio) and being more particularly described as follows:

BEGINNING at the northwesterly corner of said Lot 2;

Thence South 87° 38' 15" East, a distance of 167.82 feet, with the northerly line of said Lot 2, to the northeasterly corner thereof, in the westerly right-of-way line of Skyline Drive East, as dedicated in Plat Book 58, Page 80;

Thence South 02° 11' 58" West, a distance of 361.99 feet, with said westerly right-of-way line, and the easterly line of said Lot 2 to a point of curvature;

Thence with said curve to the right, having a central angle of 90° 12' 58", a radius of 30.00 feet, an arc length of 47.24 feet, and a chord which bears South 47° 21' 29" West, a chord distance of 42.51 feet, continuing with said westerly right-of-way line, and the easterly line of said Lot 2, to a point of tangency in the northerly right-of-way line of Snouffer Road (width varies);

Thence North 87° 29' 01" West, a distance of 137.68 feet, with said northerly right-of-way line, and the southerly line of said Lot 2, to the southwest corner thereof;

Thence North 02° 11' 58" East, a distance of 391.68 feet, with the westerly line of said Lot 2, to the POINT OF BEGINNING, containing 1.505 acres, more or less.

AND

5.50 ACRES

Situated in the State of Ohio, County of Franklin, City of Columbus, Quarter Township 1, Township 2, Range 19, USMD and being all of Lot 1 and part of Lot 4 of "Sawmill Road Office Park" recorded in Plat Book 58, Page 80 and described as follows:

Beginning at the southeast corner of said Lot 1, in the north right-of-way line for Snouffer Road;

Thence with said north right-of-way line and with the east right-of-way line for Skyline Drive East, the following courses;

N 87° 31' 02" W, 177.55 feet to a point of curvature;

with a curve to the right, having central angle of **89° 44' 04"**, a radius of **30.00 feet**, and an arc length of **46.98 feet**, a chord bearing and chord distance of **N 42° 39' 13" W, 42.33 feet** to a point of tangency;

N 02° 13' 02" E, 756.78 feet to the northwest corner of that 3.602 acre tract conveyed to A.I.F. Holding Company of record in Official Record 2404F07;

Thence **S 87° 09' 03" E**, across said Lot 4 with the north line of said 3.602 acre tract, **407.56 feet** to the northeast corner thereof, in an east line of said Lot 4;

Thence **S 02° 12' 22" W**, with said east lot line, **382.87 feet** to the southeast corner thereof;

Thence **N 87° 44' 13" W**, with a south line of said Lot 4, **200.00 feet** to the northeast corner of said Lot 1;

Thence **S 02° 14' 45" W**, with the east line of said Lot 1, **400.40 feet** to the **Point of Beginning**. Containing **5.50 acres**, more or less. Subject, however, to all legal highways, easements, and restrictions. (Also, subject to a No Build Zone being 30 feet in width and across a portion of said Lot 4. Bounded on the north by the north line of said 3.602 acre tract, on the south by a south line of said

3.602 acre tract, on the east by the east line of said 3.602 acre tract, and on the west by a line 30 feet west of and parallel to the east line of said 3.602 acre tract.) The above description was prepared by John C. Dodgion, P.S. 8069 of Advanced Civil Design, Inc. on July 17, 2007 and is based on existing records. This description was prepared for rezoning purposes and is not to be used for transfer.

Bearings are based on the same as shown on Plat Book 58, Page 80. All references used in this description can be found at the Recorder's Office, Franklin County, Ohio

Section 2. That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for those uses permitted in the L-AR-12, Limited Apartment Residential District.

Section 3. That this ordinance is further conditioned on the provision of additional parking spaces, in excess of the two (2) spaces required by Section 3342.28 for each dwelling unit, at the rate of one additional space per six (6) dwelling units. The layout and location of the additional spaces shall be subject to the review and approval of the Division of Transportation to ensure that the additional spaces are dispersed throughout the site.

Section 4. That this ordinance is further conditioned on the applicant obtaining all applicable permits and a Certificate of Occupancy for the proposed use.

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