



Legislation Text

File #: 3036-2015, **Version:** 2

Council Variance Application: CV15-012

APPLICANT: Bhakti Bania, Architect; 2029 Riverside Drive, Suite 202; Columbus, OH 43221.

PROPOSED USE: Multi-unit residential development.

UNIVERSITY AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The applicant has received a recommendation of approval from the Development Commission for a concurrent rezoning (Ordinance No. 3035-2015; Z15-011) to the AR-1, Apartment Residential District. The subject site, which is located in the University Planning Overlay, is proposed for development with two eight-unit apartment buildings as indicated on the attached site plan. Variances are requested for reduced parking and building setback lines in conjunction with the AR-1 district. Staff recognizes the difficulty with an urban in-fill development site that has three public-street frontages being able to comply with all applicable setback requirements. The site design provides recreational space for tenants, is consistent with setbacks of adjacent residential developments, and follows the *University District Plan* (2015) land use recommendation for medium intensity residential uses for this location.

To grant a Variance from the provisions of Sections 3312.27(1), Parking setback line; and 3372.565, Building lines, of the Columbus City Codes; for the property located at **1530 NORTH GRANT AVENUE (43201)**, to permit multi-unit residential development with reduced development standards in the AR-1, Apartment Residential District (Council Variance # CV15-012). **(REPEALED BY ORD. 2833-2016; PASSED 12/12/2016)**

WHEREAS, by application No. CV15-012, the owner of property at **1530 NORTH GRANT AVENUE (43201)**, is requesting a Council variance to permit multi-unit residential development with reduced development standards in the AR-1, Apartment Residential District; and

WHEREAS, Section 3312.27(1), Parking setback line, requires a parking setback line of twenty-five (25) feet along undeveloped frontage, while the applicant proposes a parking setback line of 7.58 feet along East Eleventh Avenue; and

WHEREAS, Section 3372.565, Building lines, requires minimum building lines of fifty (50) feet along East Eleventh Avenue, thirty (30) feet along Grant Avenue, and twenty-five (25) feet along Chittenden Avenue, while the applicant proposes building lines of ten (10) feet along East Eleventh Avenue, ~~11.83~~ **6.83** and ~~14.75~~ **9.75** feet along Grant Avenue, and ten (10) feet along Chittenden Avenue, as shown on the site plan; and

WHEREAS, the University Area Commission recommends approval; and

WHEREAS, City Departments recommend approval because the requested variances allow residential development that provides recreational space for tenants, is consistent with setbacks of adjacent residential developments, and follows the *University District Plan* (2015) land use recommendation for medium intensity residential uses for this location; and

WHEREAS, said ordinance requires separate submission for all applicable permits and Certificates of Occupancy for the proposed uses; 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 **1530 NORTH GRANT AVENUE (43201)**, 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 3312.27(1), Parking setback line; and 3372.565, Building lines, of the Columbus City Codes, is hereby granted for the property located at **1530 NORTH GRANT AVENUE (43201)**, insofar as said sections prohibit a reduced parking setback line from twenty-five (25) feet to 7.58 feet along East Eleventh Avenue; and reduced building lines from fifty (50) feet to ten (10) feet along East Eleventh Avenue, from thirty (30) feet to ~~11.83~~ **6.83** and ~~14.75~~ **9.75** feet along Grant Avenue; and from twenty-five (25) feet to ten (10) feet along Chittenden Avenue; said property being more particularly described as follows:

1530 NORTH GRANT AVENUE (43201), being 0.76± acres located at the northeast corner of North Grant and East Eleventh Avenues, and being more particularly described as follows:

SITUATED IN THE STATE OF OHIO, COUNTY OF FRANKLIN, CITY OF COLUMBUS, AND BEING PART OF A PARCEL FORMERLY CONVEYED TO THE COLUMBUS STREET RAILWAY COMPANY, AS RECORDED IN DEED BOOK 243, PAGE 398 AND ALL OF A PARCEL CURRENTLY CONVEYED TO THE COLUMBUS AND SOUTHERN OHIO ELECTRIC COMPANY, AS RECORDED IN DEED BOOK 1070, PAGE 471, ALL REFERENCES CONTAINED HEREIN ARE TO FRANKLIN COUNTY RECORDER'S RECORDS, FRANKLIN COUNTY, OHIO, AND BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A 5/8 INCH REBAR FOUND AT THE INTERSECTION OF THE NORTH LINE OF ELEVENTH AVENUE AND THE WESTERLY LINE OF A TRACT OF LAND CONVEYED TO NEW YORK CENTRAL LINES, LLC, AS RECORDED IN INSTRUMENT NUMBER 200212180325201;
THENCE, N 86°47' 13" W, 123.61 FEET ALONG THE NORTHERLY LINE OF SAID ELEVENTH AVENUE AND PASSING CONCRETE MONUMENTS FOUND AT 5.00 FEET AND 118.61 FEET TO A 5/8 INCH IRON PIN AND CAP SET;
THENCE, N 41° 46' 21" W, 14.14 FEET TO A POINT IN THE EASTERLY LINE OF GRANT AVENUE;
THENCE, N 03° 14' 31" E, 268.40 FEET ALONG THE EASTERLY LINE OF SAID GRANT AVENUE AND PASSING CONCRETE MONUMENTS FOUND AT 5.00 FEET AND 263.39 FEET TO A 1 INCH IRON PIPE FOUND, SAID IRON PIPE ALSO BEING IN THE SOUTHERLY LINE OF CHITTENDEN AVENUE;
THENCE, S 86° 07' 09" E, 104.12 FEET ALONG THE SOUTHERLY LINE OF SAID CHITTENDEN AVENUE AND PASSING A CONCRETE MONUMENT FOUND AT 98.97 FEET TO A 5/8 INCH IRON PIN AND CAP SET, SAID IRON PIN AND CAP ALSO BEING IN THE WESTERLY RIGHT-OF-WAY OF SAID NEW YORK CENTRAL LINES, LLC; THENCE, S 02° 50' 00" E, 278.74 FEET ALONG THE WESTERLY RIGHT-OF-WAY OF SAID NEW YORK CENTRAL LINES, LLC AND PASSING CONCRETE MONUMENTS FOUND AT 4.98 FEET AND 273.74 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.757 ACRES, MORE OR LESS, SUBJECT TO ALL LEGAL STREETS, HIGHWAYS, RIGHT-OF-WAYS, ALLEYS, EASEMENTS, AGREEMENTS AND/OR CONDITIONS OF RECORD, IF ANY, AND IS BASED ON AN ACTUAL FIELD SURVEY PERFORMED BY ME, OR UNDER MY SUPERVISION, THIS FIFTEENTH DAY OF JULY, 2003.
BEARINGS ARE BASED ON A BEARING OF S 05° 50' 00" E FOR THE WESTERLY LINE OF THE NEW YORK CENTRAL LINES, LLC RAILWAY. ALL IRON PIN AND CAPS SET ARE 5/8 X 30" REBAR WITH YELLOW CAP

STAMPED CENTRAL SURVEYING CO., LTD.

SECTION 2. That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for multi-unit residential development as shown on the submitted Site Plan, which consists of two eight-unit apartment buildings, or those uses permitted in the AR-1 Apartment Residential District.

SECTION 3. That this ordinance is further conditioned on substantial compliance with the site plan titled, "**SITE PLAN & ZONING INFORMATION**," drawn by BBCO Design, dated ~~September 23, 2015~~ **February 17, 2016**, and signed by Bhakti Bania, 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 adjustment to the plan shall be reviewed and may be approved 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.