



City of Columbus

Office of City Clerk
90 West Broad Street
Columbus OH 43215-9015
columbuscitycouncil.org

Legislation Text

File #: 1815-2016, **Version:** 1

Council Variance Application: CV16-015

APPLICANT: 876 S. Front LLC; c/o Donald Plank, Atty.; Plank Law Firm; 145 East Rich Street, 3rd Floor; Columbus, OH 43215.

PROPOSED USE: Multiple dwelling development.

BREWERY DISTRICT 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 (Ordinance No. 1814-2016; Z16-014) to the AR-1, Apartment Residential District to allow a 20-unit multiple dwelling development. The requested variances will permit four 2-unit dwellings as part of a multiple dwelling development in the AR-1, Apartment Residential District, a height increase to 40 feet from 35 feet, and vary fronting, building lines, and perimeter yard requirements. City Departments recommend approval as the Brewery District Plan recommends the preservation of the Brewery District's architectural and urban character through compatible redevelopment and rehabilitation. The 2-3 unit dwellings proposed on the site closely resemble the historic residential development styles in the surrounding district and compliment the corridor more than the aged industrial building currently existing on site.

To grant a Variance from the provisions of Sections 3333.02, AR-12, ARLD and AR-1, apartment residential district use; 3309.14(A), Height districts; 3333.16, Fronting; 3333.18(D), Building lines; and 3333.255, Perimeter yard, of the Columbus City Codes; for the property located at **882 SOUTH FRONT STREET (43206)**, to permit a 20-unit multiple dwelling development with reduced development standards in the AR-1, Apartment Residential District (Council Variance # CV16-015).

WHEREAS, by application No. CV16-015, the owner of property at **882 SOUTH FRONT STREET (43206)**, is requesting a Council variance to permit a 20-unit multiple dwelling development with reduced development standards in the AR-1, Apartment Residential District; and

WHEREAS, Section 3333.02, AR-12, ARLD and AR-1, apartment residential district use, prohibits 2 unit dwellings as part of a multiple dwelling development, while the applicant proposes four 2-unit dwellings within a multiple dwelling development; and

WHEREAS, Section 3309.14(A), Height districts, limits building height to 35 feet in an H-35 height district, while the applicant proposes a maximum building height of 40 feet for the proposed buildings; and

WHEREAS, Section 3333.16, Fronting, requires a dwelling unit to have frontage on a public street, while the applicant proposes units 16-20, to not front upon a public street, as shown on the site plan; and

WHEREAS, Section 3333.18(D), Building lines, requires a building line of no less than fifty feet along South Front Street, while the applicant proposes a reduced building line of 10 feet; and

WHEREAS, Section 3333.255, Perimeter yard, requires a minimum perimeter yard of 25 feet, while the applicant proposes perimeter yards between 0 to 5 feet as shown on the site plan; and

WHEREAS, the Brewery District Commission recommends approval; and

WHEREAS, City Departments recommend approval as the *Brewery District Plan* recommends the preservation of the Brewery District's architectural and urban character through compatible redevelopment and rehabilitation. The two and three-unit dwellings proposed on the site closely resemble the historic residential development styles in the surrounding district and compliment the corridor more than the aged industrial building currently existing on site; 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 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 **882 SOUTH FRONT STREET (43206)**, in using said property as desired; now, therefore:

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

SECTION 1. That variances from the provisions of Sections 3333.02, AR-12, ARLD and AR-1, apartment residential district use; 3309.14(A), Height districts; 3333.16, Fronting; Section 3333.18(D), Building lines; and 3333.255, Perimeter yard, of the Columbus City Codes, are hereby granted for the property located at **882 SOUTH FRONT STREET (43206)**, insofar as said sections prohibits 2-unit dwellings as part of a multiple dwelling development in the AR-1 district; with a building height of 40 feet in an H-35 height district; units not fronting on a public street; a reduced building line from 50 feet to 10 feet; and a reduced perimeter yard from 25 feet to between 0 and 5 feet; said property being more particularly described as follows:

882 SOUTH FRONT STREET (43206), being 0.99± acres located at the southeast corner of South Front and Whittier Streets, and being more particularly described as follows:

DESCRIPTION OF 0.991 ACRES

Situated in the State of Ohio, County of Franklin, Half Section 28 and 29, Township 5, Range 22, Refugee Lands, being all of that 0.07 acres (PID 01002378900), 0.04 acres (PID 01000059800), 0.05 acres (PID 01000057600), 0.06 acres (PID 01002311100), 0.06 acres (PID 01002316000), 0.07 acres (PID 01003301700), 0.09 acres (PID 01005133000), 0.07 acres (PID 01001323100), 0.12 acres (PID 01002124100), 0.16 acres (PID 01005171300), 0.08 acres (PID 01005769800), 0.08 acres (PID 01000248200), as conveyed to 876 S. Front LLC, and a vacated alley (10 feet wide), all records obtained from the Auditor's Office, Franklin County, Ohio, being and being more particularly described as follows:

BEGINNING at the northeast corner of said 0.16 acres (PID 01005171300), being the intersection of the southerly right of way of West Whittier Street (54 feet wide) and the westerly right of way of South Wall Street (33 feet wide);

Thence South 08°16'24" East, with the westerly right of way of said South Wall Street, a distance of 209.18 feet, to a point in the easterly common corner of said 0.08 acres (PID 01000248200) and that 0.06 acres (PID 01003828000), as conveyed to Andrew C. Hinton;

Thence South 81°18'26" West, with the common line of said 0.08 acres (PID 01000248200) and said 0.06 acres (PID 01003828000), a distance of 97.92 feet, to a point in the westerly common corner of said tracts;

Thence South 07°31'57" East, with the common line of said 0.06 acres (PID 01003828000) and said 0.09 acres (PID 01005133000), a distance of 24.41, to a point in the southerly common corner of said tracts, being in the northerly right of way of Shumacher Alley (20 feet wide);

Thence South 81°33'21" West, with the common line of said 0.09 acres (PID 01005133000) and said northerly right of way of Schumacher Alley, a distance of 85.12 feet, to a point in the southwesterly corner of said 0.09 acres (PID 01005133000);

Thence North 08°14'52" West, with the easterly right of way of South Front Street (82.5 feet wide), a distance of 241.19 feet, to a point in intersection of said easterly right of way of South Front Street and the southerly right of way of West Whittier Street;

Thence with the southerly right of way of West Whittier Street, the following courses:

North 41°15'08" East, a distance of 16.23 feet, to a point;

North 67°18'40" East, a distance of 19.18 feet, to a point;

North 84°56'58" East, a distance of 61.34 feet, to a point;

South 89°15'13" East, a distance of 30.70 feet, to a point;

South 85°34'48" East, a distance of 62.29 feet, to the POINT OF BEGINNING, containing 0.991 acres, more or less.

The above description is based on linework obtained from the Franklin County Auditor's Office and the content is intended for zoning purposes only.

SECTION 2. That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for a 20-unit multi-unit development, or 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, "**VARIANCE SITE PLAN, 882 S. FRONT STREET,**" drawn by Civil & Environmental Consultants, dated June 17, 2016, and signed by 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 use.

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