



## Legislation Text

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**File #:** 0208-2018, **Version:** 1

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### **Council Variance Application: CV17-073**

**APPLICANT:** Mark Larrimer; Moody Engineering; 300 Spruce Street, Suite 200; Columbus, OH 43215.

**PROPOSED USE:** Multi-unit residential development.

**NEAR EAST AREA COMMISSION RECOMMENDATION:** Approval.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The site consists of 10 parcels zoned in the R-2F, Residential District and developed with a private charitable club as permitted by Ordinance # 1325-96 (CV96-010). The applicant proposes to redevelop the site with a 30-unit apartment building. A Council variance is required because the R-2F district only permits single-and two-unit dwellings. Variances for required parking lot trees, lot area, and building lines are included in the request. Additionally, the applicant proposes a reduction in the required number of parking spaces from 45 to 10. The site is within the boundaries of the *Near East Area Plan* (2005), which recommends "High Density Residential/Mixed Use Developments" at this location. The proposal is consistent with the Plan's recommendation, and is compatible with the development pattern of the area.

To grant a Variance from the provisions of Sections 3332.037, R-2F, residential district; 3312.21(A), Landscaping and screening; 3312.49, Minimum numbers of parking spaces required; 3332.14, R-2F area district requirements; and 3332.21 (D), Building lines, of the Columbus City Codes; for the property located at **79-89 NORTH SEVENTEENTH STREET (43203)**, to permit a 30-unit apartment building with reduced development standards in the R-2F, Residential District, and to repeal Ordinance # 1325-96 passed June 24, 1996 (Council Variance # CV17-073).

**WHEREAS**, by application #CV17-073, the owner of the property at **79-89 NORTH SEVENTEENTH STREET (43203)**, is requesting a Variance to permit a 30-unit apartment building with reduced development standards in the R-2F, Residential District; and

**WHEREAS**, Section 3332.037, R-2F, residential district, permits one single-unit or one two-unit dwelling on a lot, while the applicant proposes a 30-unit apartment building; and

**WHEREAS**, Section 3312.21(A), Landscaping and screening, requires the interior of any parking lot containing ten or more parking spaces to provide one shade tree per ten spaces, while the applicant proposes a parking lot containing ten spaces with no shade tree due to dumpster placement and circulation constrains on site; and

**WHEREAS**, Section 3312.49, Minimum numbers of parking spaces required, requires 1.5 parking spaces per dwelling unit, resulting in a total parking requirement of 45 parking spaces, while the applicant proposes 10 parking spaces on site, noting that most residents will not have automobiles; and

**WHEREAS**, Section 3332.14, R-2F area district requirements, requires a single-unit dwelling or other principal building to be situated on a lot of no less 6,000 square feet in area, while the applicant proposes a 30-unit apartment building on a 29,620 square-foot lot resulting in 987 square feet of lot area per dwelling unit; and

**WHEREAS**, Section 3332.21(D), Building lines, requires buildings to have a minimum setback of 10 feet along North Seventeenth Street, while the applicant proposes a reduced building setback of 7 feet; and

**WHEREAS**, the Near East Area Commission recommends approval; and

**WHEREAS**, City Departments recommend approval because the proposed apartment building is consistent with the land use recommendation of the *Near East Area Plan* and with the development pattern of the area; and

**WHEREAS**, said ordinance requires separate submission for all applicable permits and 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 owner of the property located at **79-89 NORTH SEVENTEENTH STREET (43203)**, 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 Sections 3332.037, R-2F, residential district; 3312.21(A), Landscaping and screening; 3312.49, Minimum numbers of parking spaces required; 3332.14, R-2F area district requirements; and 3332.21(D), Building lines, of the Columbus City Codes; for the property located at **79-89 NORTH SEVENTEENTH STREET (43203)**, insofar as said sections prohibits a 30-unit apartment building; with reduced parking lot trees from 1 to 0; a reduction in required parking spaces from 45 to 10; reduced lot area from 6,000 to 987 square feet per dwelling unit; and a reduced building line from 10 to 7 feet along North Seventeenth Street; said property being more particularly described as follows:

**79-89 NORTH SEVENTEENTH STREET (43203)**, being 0.68± acres located on the west side of North Seventeenth Street, 144± feet south of Long Street, and being more particularly described as follows:

**PARCEL 1:**

SITUATED IN THE COUNTY OF FRANKLIN, IN THE STATE OF OHIO, AND IN THE CITY OF COLUMBUS, AND BOUNDED AND DESCRIBED AS FOLLOWS BEING LOT NUMBER THIRTY-SIX (36) IN JOHN W. BAKER'S AUSTRALIA ADDITION, AS THE SAME IS NUMBERED AND DELINEATED UPON THE RECORDED PLAT THEREOF, OF RECORD IN PLAT BOOK 1, PAGE 59, RECORDER'S OFFICE, FRANKLIN COUNTY, OHIO.

PARCEL NUMBER 010-000236

TOGETHER WITH THE FOLLOWING AS CONVEYED TO CAVALIERS CLUB BY DEED BOOK 3154, PAGE 620 AND DESCRIBED AS FOLLOWS:

**TRACT 1:**

SITUATED IN THE STATE OF OHIO AND IN THE CITY OF COLUMBUS

BEGINNING AT THE SOUTHEAST CORNER OF LOT NO. 126 OF MITCHELL AND WATSON'S EAST GROVE ADDITION THENCE WESTWARDLY WITH THE SOUTH LINE OF SAID LOT 50 FEET TO THE ALLEY; THENCE SOUTHWARDLY ALONG THE EAST SIDE OF SAID ALLEY 40 FEET TO A POINT; THENCE EASTWARDLY PARALLEL WITH THE FIRST DESCRIBED LINE 50 FEET TO A POINT IN THE WEST LINE OF

AUSTRALIA ADDITIONS; THENCE NORTHWARDLY 40 FEET TO THE PLACE OF BEGINNING, BEING PART OF RESERVE B OF MITCHELL AND WATSON'S EAST GROVE ADDITION TO THE CITY OF COLUMBUS AS PER PLAT THEREOF IN PLAT BOOK 2, PAGES 172, 173 AND 174, FRANKLIN COUNTY RECORDS.

ALSO A TRIANGULAR AND PIECE OF GROUND OFF THE NORTH SIDE OF THE PREMISES CONVEYED AND BY JAMES WATSON AND WIFE TO SAID ANN P. TRIMBLE BY DEED DATES 12-23-1897, AND RECORDED IN FRANKLIN COUNTY RECORD BOOK, 190, PAGE 612, BEING 5 FEET IN WIDTH AT THE EAST AND RUNNING TO A POINT AT THE WEST END AND BEING PART OF THE RESERVE B MITCHELL AND WATSON'S EAST GROVE ADDITION TO THE CITY OF COLUMBUS.

BEING PREMISES KNOWN AS 102-104 AUSTRALIA ALLEY.

TRACT 2:

TOGETHER WITH THE FOLLOWING AS CONVEYED TO CAVALIERS CLUB BY DEED BOOK 2919, PAGE 500 AND DESCRIBED AS FOLLOWS:

SITUATED IN THE COUNTY OF FRANKLIN, AND IN THE STATE OF OHIO, AND IN THE CITY OF COLUMBUS, AND BOUNDED AND DESCRIBED AS FOLLOWS:

BEING THE NORTH ONE-HALF OF THE FOLLOWING REAL ESTATE, TO WIT:

BEING AT THE SOUTHWEST CORNER OF LOT NUMBER THIRTY-FIVE (35) OF JOHN BAKER'S AUSTRALIA ADDITION AND SOUTHWEST CORNER OF A STRIP OF GROUND CONVEYED BY JAMES WATSON AND WIFE, TO WESLEY QUIGLEY; THENCE WESTWARDLY ON A LINE THE PROLONGATION OF THE NORTH LINE OF SAID LOT NUMBER THIRTY-FIVE (35) AND ALONG SAID QUIGLEYS SOUTH LINE FIFTY FEET (50 FT.) TO A POINT ON THE LINE OF AN ALLEY; THENCE SOUTHERLY ALONG THE LINE OF SAID ALLEY FIFTY FEET (50 FT.) TO A POINT. THENCE EASTWARDLY PARALLEL WITH SAID FIRST DESCRIBED LINE FIFTY FEET (50 FT.) TO A POINT IN THE WEST LINE OF LOT NUMBER THIRTY-SIX (36) OF BAKER'S AUSTRALIA ADDITION; THENCE NORTHERLY ALONG THE WEST LINE OF SAID LOT NUMBERS THIRTY-SIX (36) AND THIRTY-FIVE (35) FIFTY FEET (50 FT.) TO THE PLACE OF BEGINNING; BEING A PART OF A STRIP OF GROUND MARKED (B) OF JOHN G. MITCHELL AND JAMES WATSON'S EAST GROVE ADDITION; AS PER AMENDED PLAT THEREOF, IN FRANKLIN COUNTY RECORDS. THE PREMISES HEREBY CONVEYED BEING A PART OF A STRIP OF GROUND CONVEYED BY JAMES WATSON AND WIFE TO ANNA P. TRIMBLE, BY DEED DATED DECEMBER THE 23RD, 1887. RECORDED IN DEED BOOK 190, PAGE 612. (ALSO KNOWN AS 94 AUSTRALIA ALLEY. COLUMBUS, OHIO)

TRACT 3:

TOGETHER WITH THE FOLLOWING AS CONVEYED TO THE CAVALIERS CLUB INC. BY DEED BOOK 2583, PAGE 452 AND DESCRIBED AS FOLLOWS:

BEING A PART OF RESERVE B OF MITCHELL AND WATSON'S EAST GROVE ADDITION, AS THE SAME IS NUMBERED AND DELINEATED UPON THE RECORDED PLAT THEREOF, OF RECORD IN PLAT BOOK 2. PAGE 172, RECORDER'S OFFICE. FRANKLIN COUNTY, OHIO, DESCRIBED AS FOLLOWS:

BEING 25 FEET OFF OF THE NORTH SIDE OF THE FOLLOWING PARCEL, TO WIT:

BEGINNING AT THE NORTHWEST CORNER OF EOT 37 OF JOHN W. BAKER'S AUSTRALIAN ADDITION; THENCE WESTWARDLY ON A LINE THE PROLONGATION OF THE NORTH LINE OF SAID LOT 37, FIFTY (50) FEET TO A POINT IN THE EAST LINE OF AUSTRALIA ALLEY, NOW KNOWN AS DOUGLAS STREET THENCE NORTH WITH THE EAST LINE OF SAID DOUGLAS STREET FIFTY-FIVE (55) FEET, MORE OR LESS TO A POINT; THENCE EASTERLY 50 FEET MORE OR LESS TO A POINT IN THE WEST LINE OF LOT 35 IN SAID AUSTRALIA ADDITION; WHICH POINT IS 50 FEET NORTH OF THE PLACE OF BEGINNING; THENCE SOUTH

ALONG THE WEST LINE OF SAID LOTS 35 AND 36, FIFTY FEET TO THE PLACE OF BEGINNING. KNOWN ALSO AS BEING 92 DOUGLAS STREET.

**TRACT 4:**

TOGETHER WITH THE FOLLOWING AS CONVEYED TO CAVALIERS CLUB, INC. BY DEED BOOK 3267, PAGE 279 AND DESCRIBED AS FOLLOWS:

BEING A PART OF RESERVE B OF MITCHELL AND WATSON'S EAST GROVE ADDITION; AS THE SAME IS DELINEATED NUMBERED UPON THE RECORDED PLAT THEREOF, OF RECORD IN PLAT BOOK 2, PAGE 172. RECORDER'S OFFICE, FRANKLIN COUNTY. OHIO, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 37 OF JOHN W. BAKER'S AUSTRALIA ADDITION; THENCE WESTWARDLY ON A LINE THE PROLONGATION OF THE NORTH LINE OF SAID LOT 37, FIFTY FEET TO A POINT IN THE EAST LINE OF AUSTRALIA ALLEY NOW KNOWN AS DOUGLAS STREET; THENCE NORTH WITH THE EAST LINE OF DOUGLAS STREET FIFTY-FIVE FEET MORE OR LESS TO A POINT THENCE EASTERLY FIFTY FEET MORE OR LESS TO A POINT; WHICH IS FIFTY FEET NORTH OF THE PLACE OF BEGINNING AND IN THE WEST LINE OF LOT 35 OF SAID AUSTRALIA ADDITION; THENCE SOUTH ALONG THE WEST LINE OF SAID LOTS 35 AND 36, FIFTY FEET TO THE PLACE OF BEGINNING.

EXCEPTING 25 FEET OFF OF THE NORTH SIDE THEREOF.

PARCEL NUMBER: 010-000236

**PARCEL 2:**

SITUATED IN THE COUNTY OF FRANKLIN IN THE STATE OF OHIO AND IN THE CITY OF COLUMBUS:

BEING TWENTY-TWO (22) FEET OFF THE NORTH SIDE OF LOT NUMBER THIRTY-SEVEN (37) OF J.W. BAKER'S SUBDIVISION, AS THE SAME IS NUMBERED AND DELINEATED UPON THE RECORDED PLAT THEREOF, OF RECORD IN PLAT BOOK I, PAGE 59, RECORDER'S OFFICE, FRANKLIN COUNTY, OHIO.

PARCEL NUMBER 010-013903

**PARCEL 3:**

SITUATED IN THE COUNTY OF FRANKLIN, IN THE STATE OF OHIO, AND IN THE CITY OF COLUMBUS:

BEING THE SOUTH ONE-HALF (1/2) OF LOT NUMBER THIRTY-FOUR (34) OF JOHN W. BAKER'S SUBDIVISION OF A PART OF HALF SECTION NO. 13. TOWNSHIP NO. 5, RANGE NO. 22, REFUGEE LANDS, AS THE SAME IS NUMBERED AND DELINEATED UPON THE RECORDED PLAT OF SAID SUBDIVISION OF RECORD IN PLAT BOOK NO. 1, PAGE 50, RECORDER'S OFFICE, FRANKLIN COUNTY. OHIO.

PARCEL NUMBER 010-018538

**PARCEL 4:**

SITUATED IN THE COUNTY OF FRANKLIN, IN THE STATE OF OHIO, AND IN THE CITY OF COLUMBUS:

BEING THE NORTH ONE-HALF (1/2) OF LOT NUMBER THIRTY-FOUR (34) IN JOHN W. BAKER'S SUBDIVISION, AS THE SAME IS NUMBERED AND DELINEATED UPON THE RECORDED PLAT THEREOF, OF RECORD IN PLAT BOOK 1, PAGE 59, RECORDER'S OFFICE. FRANKLIN COUNTY, OHIO.

PARCEL NUMBER 010-024190

**PARCEL 5:**

SITUATED IN THE COUNTY OF FRANKLIN IN THE STATE OF OHIO AND IN THE CITY OF COLUMBUS AND BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT NO. 38 OF JOHN W. BAKER'S AUSTRALIA ADDITION AND NORTHEAST CORNER TO A STRIP OF GROUND HERETOFORE CONVEYED BY SAID MITCHELL AND WATSON TO HARTMAN; THENCE WESTWARDLY ON A LINE WITH THE PROLONGATION OF THE SOUTH LINE OF SAID LOT NO. 38, 50 FEET TO A POINT IN THE LINE OF AN ALLEY; THENCE NORTHWARDLY ALONG THE LINE OF SAID ALLEY, 80 FEET TO A POINT; THENCE EASTWARDLY ON A LINE PARALLEL WITH SAID FIRST DESCRIBED LINE 50 FEET TO THE NORTHWEST CORNER OF LOT NO. 37 OF SAID AUSTRALIA ADDITION; THENCE SOUTHWARDLY ALONG THE WEST LINE OF SAID LOTS NOS. 37 AND 38, 80 FEET TO THE BEGINNING, AND BEING PART OF A STRIP OF GROUND MARKED B OF MITCHELL AND WATSON'S EASTGROVE ADDITION. BEING A PART OF RESERVE B OF MITCHELL AND WATSON'S EAST GROVE ADDITION TO THE CITY OF COLUMBUS, AS THE SAME IS NUMBERED AND DELINEATED UPON THE AMENDED PLAT THEREOF, OF RECORD IN PLAT BOOK NO. 2, PAGE 172. RECORDER'S OFFICE, FRANKLIN COUNTY, OHIO, AND MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS; BEGINNING AT THE SOUTHWEST CORNER OF LOT NO. 39 OF JOHN W. BAKER'S AUSTRALIA ADDITION; THENCE WESTERLY ON A LINE, THE PROLONGATION OF THE SOUTH LINE ON SAID LOT NO. 39, 50 FEET TO A POINT IN THE LINE OF AUSTRALIA ALLEY, THENCE NORTHERLY WITH THE LINE OF SAID ALLEY FORTY FEET TO A STAKE; THENCE EASTERLY PARALLEL WITH SAID FIRST LINE FIFTY FEET TO THE NORTHWEST CORNER OF SAID LOT NO. 39; THENCE SOUTHERLY FORTY FEET TO THE PLACE OF BEGINNING. AS PER AMENDED PLAT THEREOF RECORD IN PLAT BOOK 2, PAGE 172, RECORDER'S OFFICE, FRANKLIN COUNTY, OHIO.

SUBJECT TO CONDITIONS, RESTRICTIONS, AND EASEMENTS OF RECORD, IF ANY.

PARCEL NUMBER 010-028406

**PARCEL 6:**

SITUATED IN THE COUNTY OF FRANKLIN, IN THE STATE OF OHIO, AND IN THE CITY OF COLUMBUS, AND BOUNDED AND DESCRIBED AS FOLLOWS:

BEING LOT NUMBER THIRTY-FIVE (35), JOHN W. BAKER'S SUBDIVISION OF A PART OF HALF SECTION 13, TOWNSHIP 5, RANGE 22, REFUGEE LANDS, (SOMETIMES CALLED "AUSTRALIA ADDITION"), AS THE SAME IS NUMBERED AND DELINEATED UPON THE RECORDED PLAT THEREOF, OF RECORD IN PLAT BOOK I, PAGE 59, RECORDER'S OFFICE, FRANKLIN COUNTY, OHIO.

EXCEPTING THEREFROM THE FOLLOWING PART OF SAID LOT 35:

BEGINNING AT AN IRON PIN IN THE SOUTHEASTERLY COMER OF SAID LOT 35, THE NORTHEASTERLY CORNER OF LOT 36 OF SAID JOHN W. BAKER'S AUSTRALIA ADDITION, THE WESTERLY LINE OF SAID SEVENTEENTH STREET; THENCE SOUTH 79 DEG. 16' 30" WEST, WITH THE SOUTHERLY LINE OF SAID LOT 35, THE NORTHERLY LINE OF SAID LOT 36, A DISTANCE OF 100.00 FEET TO AN IRON PIN IN THE SOUTHWESTERLY CORNER OF SAID LOT 35, THE NORTHWESTERLY COMER OF SAID LOT. 36; THENCE NORTH 0 DEG. 37' 30" EAST, WITH THE WESTERLY LINE OF SAID LOT 35, A DISTANCE OF 20.42 FEET TO AN IRON PIN; THENCE NORTH 79 DEG. 43' 50" EAST, CROSSING SAID LOT 35, WITH THE LINE DIVIDING THE PREMISES OF SAID 95 AND 97 NORTH SEVENTEENTH STREET, EXTENDING THROUGH THE CENTER OF A DIVIDING WALL BETWEEN THE TWO HALVES OF A DOUBLE BRICK DWELLING THEREON, A DISTANCE OF 99.85 FEET TO AN IRON PIN IN THE EASTERLY LINE OF SAID LOT 35, THE WESTERLY LINE

OF SAID SEVENTEENTH STREET, SAID IRON PIN BEING LOCATED SOUTH 0 DEG. 38' 00" WEST. A DISTANCE OF 20.78 FEET FROM THE NORTHEASTERLY CORNER OF SAID LOT 35; THENCE SOUTH 0 DEG. 38' 00" WEST. WITH THE EASTERLY LINE OF SAID LOT 35, THE WESTERLY LINE OF SAID SEVENTEENTH STREET, A DISTANCE OF 19.62 FEET TO THE PLACE OF BEGINNING AND CONTAINING 0.045 ACRE (1,963 SQUARE FEET), MORE OR LESS.

PARCEL NUMBER: 010-028524

**PARCEL 7 AND PARCEL 8:**

SITUATED IN THE STATE OF OHIO, COUNTY OF FRANKLIN AND IN THE CITY OF COLUMBUS:

BEING LOT NUMBER THIRTY-EIGHT (38) IN JOHN W. BAKER'S ADDITION TO THE CITY OF COLUMBUS, OHIO, AS THE SAME IS NUMBERED AND DELINEATED ON THE RECORDED PLAT THEREOF, OF RECORD IN PLAT BOOK NO, 1, PAGE 59, RECORDER'S OFFICE, FRANKLIN COUNTY, OHIO. EXCEPTING THEREFROM ALL EASEMENTS, CONDITIONS, AND RESTRICTIONS OF RECORD, IF ANY.

PARCEL NUMBER 010-039751 AND 010-055464

**PARCEL 9:**

SITUATED IN THE COUNTY OF FRANKLIN, IN THE STATE OF OHIO, AND IN THE CITY OF COLUMBUS, AND BOUNDED AND DESCRIBED AS FOLLOWS:

BEING APPROXIMATELY THE SOUTH HALF (1/2) OF LOT NUMBER THIRTY-FIVE (35), JOHN W. BAKER'S AUSTRALIA ADDITION, AS THE SAME IS NUMBERED AND DELINEATED UPON THE RECORDED PLAT THEREOF, OF RECORDED IN PLAT BOOK 1, PAGE 59 RECORDER'S OFFICE, FRANKLIN COUNTY. OHIO, SAID DESCRIBED PREMISES BEING KNOWN AS NUMBER 95 NORTH SEVENTEENTH STREET AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON PIN IN THE SOUTHEASTERLY CORNER OF SAID LOT 35, THE NORTHEASTERLY CORNER OF LOT 36 OF SAID JOHN W. BAKER'S AUSTRALIA ADDITION, THE WESTERLY LINE OF SAID SEVENTEENTH STREET; THENCE SOUTH 79 DEG. 16' 30" WEST. WITH THE SOUTHERLY LINE OF SAID LOT 35. THE NORTHERLY LINE OF SAID LOT 36, A DISTANCE OF 100.00 FEET TO AN IRON PIN IN THE SOUTHWESTERLY CORNER OF SAID LOT 35. THE NORTHWESTERLY CORNER OF SAID LOT 36; THENCE NORTH 0 DEG. 37' 30" EAST, WITH THE WESTERLY LINE OF SAID LOT 35. A DISTANCE OF 20.42 FEET TO AN IRON PIN; THENCE NORTH 79 DEG. 43' 50" EAST. CROSSING SAID LOT 35. WITH THE LINE DIVIDING THE PREMISES OF SAID 95 AND 97 NORTH SEVENTEENTH STREET, EXTENDING THROUGH THE CENTER OF A DIVIDING WALL BETWEEN THE TWO HALVES OF A DOUBLE BRICK DWELLING THEREON. A DISTANCE OF 99. 85 FEET TO AN IRON PIN IN THE EASTERLY LINE OF SAID LOT 35. THE WESTERLY LINE OF SAID SEVENTEENTH STREET, SAID IRON PIN BEING LOCATED SOUTH 0 DEG. 38' 00" WEST, A DISTANCE OF 20.78 FEET FROM THE NORTHEASTERLY CORNER OF SAID LOT 35; THENCE SOUTH 0 DEG. 38' 00" WEST. WITH THE EASTERLY LINE OF SAID LOT 35, THE WESTERLY LINE OF SAID SEVENTEENTH STREET. A DISTANCE OF 19.62 FEET TO THE PLACE OF BEGINNING AND CONTAINING 0.045 ACRES (1,963 SQUARE FEET). MORE OR LESS.

SUBJECT TO ALL RIGHTS-OF-WAY, EASEMENTS AND RESTRICTIONS, IF ANY, OF PREVIOUS RECORD.

PARCEL NUMBER 010-100800

**PARCEL 10:**

SITUATED IN THE STATE OF OHIO, COUNTY OF FRANKLIN AND IN THE CITY OF COLUMBUS:

BEING 18 FEET OFF THE SOUTH SIDE OF LOT NUMBER THIRTY-SEVEN (37) OF JOHN W. BAKER'S SUBDIVISION, AS THE SAME IS NUMBERED AND DELINEATED UPON THE RECORDED PLAT THEREOF, OF RECORD IN PLAT BOOK 1, PAGE 59, RECORDER'S OFFICE, FRANKLIN COUNTY, OHIO.

SUBJECT TO EASEMENT RIGHTS AND RIGHT-OF-REVERSION RESERVED BY THE CITY OF COLUMBUS, OHIO IN DEED OF RECORDED IN INSTRUMENT NO. 200503210051152, RECORDER'S OFFICE, FRANKLIN COUNTY, OHIO.

PARCEL NUMBER 010-038171

Known as address: 79-89 North Seventeenth Street, Columbus, OH 43203.

**SECTION 2.** That this ordinance is conditioned on and shall remain in effect only for so long as said property is used as a 30-unit apartment building or those uses permitted in the R-2F, Residential District.

**SECTION 3.** That this ordinance is further conditioned on the Subject Site being developed in general conformance with the site plan titled, "**CMHA SCHOLAR HOUSE**" dated January 11, 2018, and drawn and signed by Mark Larrimer, 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 plans shall be subject to review and approval by the Director of the Department 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.

**SECTION 6.** That Ordinance # 1325-96, passed June 24, 1996, be and is hereby repealed.