



# City of Columbus

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

## Legislation Text

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**File #:** 1641-2018, **Version:** 1

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### **Council Variance Application: CV18-020**

**APPLICANT:** Gallas Zadeh Development, LLC; c/o Dave Perry, Agent; David Perry Company; 411 East Town Street, First Floor; Columbus, OH 43215, and Donald Plank, Atty.; Plank Law Firm; 411 East Town Street, Second Floor; Columbus, OH 43215.

**PROPOSED USE:** Conform an existing seventeen-unit apartment building.

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

**HISTORIC RESOURCES COMMISSION RECOMMENDATION:** Approval.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The site consists of a single parcel developed with a seventeen-unit apartment building zoned in the R-3, Residential District. The existing zoning is the result of a city-initiated downzoning of the neighborhood in 1993 (Z93-023A). A Council variance is necessary because the current zoning district only permits single-unit dwellings, while the applicant proposes to maintain the existing seventeen-unit apartment building. Variances for a reduced parking setback line and a reduction from 26 required parking spaces to 18 provided parking spaces are included in this request. The site is within the planning area of the *Near East Area Plan* (2005), which does not recommend a land use for this location. The Plan does state that in general, housing types and density should be consistent with the housing types and densities found in the surrounding area. City staff supports the proposed variances as the proposal is consistent with the mixed-residential development found along Bryden Road, and the improvements to the site will decrease impervious surface, increase landscaping, and improve parking conditions on the site. Additionally, the site is within the Bryden Road Historic District and is subject to review by the Historic Resources Commission.

To grant a Variance from the provisions of Sections 3332.035, R-3, Residential District; 3312.27(3), Parking setback line; and 3312.49(C), Minimum numbers of parking spaces required, of the Columbus City Codes; for the property located at **1150 BRYDEN ROAD (43205)**, to conform an existing seventeen-unit apartment building with reduced development standards in the R-3, Residential District (Council Variance # CV18-020).

**WHEREAS**, by application #CV18-020, the owner of the property at **1150 BRYDEN ROAD (43205)**, is requesting a Variance to conform an existing seventeen-unit apartment building with reduced development standards in the R-3, Residential District; and

**WHEREAS**, Section 3332.035, R-3, Residential District, lists single-unit dwellings as the only permitted residential use, while the applicant proposes to conform an existing seventeen-unit apartment building; and

**WHEREAS**, Section 3312.27(3), Parking setback line, requires the parking setback line along South Champion Avenue to be 10 feet, while the applicant proposes a parking setback line of 4.5 feet; and

**WHEREAS**, Section 3312.49(C), Minimum numbers of parking spaces required, requires a total of 26 parking spaces for the 17 apartment units, while the applicant proposes a total of 18 parking spaces; and

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

**WHEREAS**, the Historic Resources Commission recommends approval; and

**WHEREAS**, City Departments recommend approval because the requested Council variance will conform an existing seventeen-unit apartment building and in doing so will decrease the impervious surface on site, increase landscaping, and improve parking conditions on the site; 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 owners of the property located at **1150 BRYDEN ROAD (43205)**, 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 3332.035, R-3, Residential District; 3312.27(3), Parking setback line; and 3312.49(C), Minimum numbers of parking spaces required, of the Columbus City Codes; for the property located at **1150 BRYDEN ROAD (43205)**, insofar as said sections prohibit a seventeen-unit apartment building in the R-3, Residential District, with a reduction in the parking setback line along South Champion Avenue from 10 feet to 4.5 feet; and a reduction in the number of parking spaces required from 26 spaces to 18 spaces; said property being more particularly described as follows:

**1150 BRYDEN ROAD (43205)**, being 0.36± acres located at the northeast corner of Bryden Road and South Champion Avenue, and being more particularly described as follows:

Situated in the County of Franklin, in the State of Ohio, and in the City of Columbus:

Being Lot Number one hundred eight (108) and the west half of Lot Number one hundred seven (W ½ of 107) of Hoffman and McGrew's Second Amended Addition to the City of Columbus, Ohio, as the same are numbered and delineated upon the recorded plat thereof, of record in Plat Book 2, Page 200, Recorder's Office, Franklin County, Ohio.

And

Situated in the County of Franklin, in the State of Ohio, and in the City of Columbus:

Being Lot number One Hundred Nine (109) of Hoffman and McGrew's Second Amended Addition of the City of Columbus, Ohio, as the same is numbered and delineated upon the recorded plat thereof of record in Plat Boo, 2, Page 200, Recorder's Office, Franklin County, Ohio.

Parcel Number: 010-022837  
1150 Bryden Road, Columbus Ohio 43205

**SECTION 2.** That this ordinance is conditioned on and shall remain in effect only for so long as said property is used as

a seventeen-unit apartment building in accordance with the submitted site plan, or those uses permitted in the R-3, Residential District.

**SECTION 3.** That this ordinance is further conditioned on the subject site being developed in general conformance with the site plan titled, "**ZONING EXHIBIT FOR 1150 BRYDEN**," dated May 10, 2018, drawn by Advanced Civil Design Engineers, and signed by David B. Perry, Agent for the Applicant, and 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 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 shall take effect and be in force from and after the earliest period allowed by law.