



Legislation Text

File #: 2794-2020, **Version:** 1

Rezoning Application: Z20-033

APPLICANT: Lawrence Y. Shin; c/o Donald Plank, Atty.; Plank Law Firm; 411 East Town Street, 2nd Floor; Columbus, OH 43215.

PROPOSED USE: Two three-unit dwellings.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (4-1) on November 12, 2020.

NEAR EAST AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The site consists of two contiguous parcels, each developed with a single-unit dwelling. One parcel is zoned in the R-3, Residential district, and the other parcel is zoned in the ARLD, Apartment Residential district. The applicant proposes the ARLD, Apartment Residential District and to combine the lots and permit two three-unit dwellings on one lot. The site is within the planning area of the *Near East Area Plan* (2005), which does not recommend a land use for this location, but recommends that new housing be consistent with the housing types, density, and development pattern of the neighborhood. The request will allow a residential development that is compatible with adjacent residential developments. Planning staff notes the proposed loss of existing contributing structures; and although the preservation and renovation of existing structures is preferred as a "crucial aspect of the revitalization of the Near East Side," per the *Near East Area Plan*, the state of advanced deterioration presents challenges for full preservation. Additionally, Planning staff finds the conceptual elevations for the proposed new housing compatible with the nearby environment and consistent with the Plan's design guidelines, making this proposal supportable. A concurrent Council variance (Ordinance #2795-2020; CV20-038) has been submitted to vary lot area, fronting, building setback, rear yard, side yard obstruction, and maneuvering.

To rezone **824 OAK ST. (43205)**, being 0.27± acres located on the north side of Oak Street, 100± feet east of South Monroe Avenue, **From:** R-3, Residential, and ARLD, Apartment Residential Districts, **To:** ARLD, Apartment Residential District (Rezoning #Z20-033).

WHEREAS, application #Z20-033 is on file with the Department of Building and Zoning Services requesting rezoning of 0.27± acres from R-3, Residential, and ARLD, Apartment Residential Districts, to ARLD, Apartment Residential District; and

WHEREAS, the Development Commission recommends approval of said zoning change; and

WHEREAS, the Near East Area Commission recommends approval of said zoning change; and

WHEREAS, the City Departments recommend approval of said zoning change because the proposed ARLD, Apartment Residential district will allow a residential development that is compatible with the density and development standards of adjacent residential developments and consistent with the *Near East Area Plan's* design guidelines; now, therefore:

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

SECTION 1. That the Official Zoning Map of the City of Columbus, as adopted by Ordinance #0179 -03, passed February 24, 2003, and as subsequently amended, is hereby revised by changing the zoning of the property as follows:

824 OAK ST. (43205), being 0.27± acres located on the north side of Oak Street, 100± feet east of South Monroe Avenue, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin, City of Columbus, lying in the Refugee Lands, Half Section 24, Township 5, Range 22, being part of Lot 40 and all of Lot 41 of that subdivision entitled "Samuel Bartlett's Amended Subdivision" of record in Plat Book 2, Page 170, and all of those tracts conveyed as Property 1 and Property 2 to Lawrence Y. Shin by deed of record in Instrument Number 2019120401626311, (all references are to the records of the Recorder's Office, Franklin County, Ohio) and being more particularly described as follows:

BEGINNING in the northerly right-of-line of East Oak Street (50 feet wide), in the westerly right-of-way line of Fern Alley (20 feet wide), at the southeasterly corner of said Lot 41, at the southeasterly corner of said Property 2;

Thence North 86° 35' 18" West, with the northerly right-of-way line of said Oak Street, with the southerly line of said Lots 40 and 41, with the southerly line of said Property 1 and said Property 2, a distance of 77.48 feet to a point at the southwesterly corner of said Property 1, at the southeasterly corner of that tract conveyed to 180 Property Development, LLC by deed of record in Instrument Number 201911220157172;

Thence North 03° 06' 00" East, across said Lot 40, with the line common to said Property 1 and said 180 Property Development, LLC tract, a distance of 150.00 feet to point in the southerly right-of-way line of Agate Alley (20 feet wide), in the northerly line of said Lot 40, at the northwesterly corner of said Property 1, at the northeasterly corner of said 180 Property Development, LLC tract;

Thence South 86° 35' 18" East, with the southerly right-of-way line of said Agate Alley, with the northerly line of said Lots 40 and 41, with the northerly line of said Property 1 and said Property 2, a distance of 77.48 feet to a point in the westerly right-of-way line of said Fern Alley, at the northeasterly corner of said Lot 41, at the northeasterly corner of said Property 2;

Thence South 03° 06' 00" West, with the westerly right-of-way line of said Fern Alley, with the easterly line of said Lot 41, with the easterly line of said Property 2, a distance of 150.00 feet to the POINT OF BEGINNING, containing 0.267 acre, more or less.

To Rezone From: R-3, Residential, and ARLD, Apartment Residential Districts.

To: ARLD, Apartment Residential District.

SECTION 2. That a Height District of thirty-five (35) feet is hereby established on the ARLD, Apartment Residential District on this property.

SECTION 3. That the Director of the Department of Building and Zoning Services be, and is hereby authorized and directed to make the said changes on the said original zoning map in the office of the Department of Building and Zoning Services.

SECTION 4. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.