



## Legislation Text

---

**File #:** 2712-2020, **Version:** 1

---

### **Council Variance Application: CV20-062**

**APPLICANT:** Metro Development LLC; c/o Jill Tangeman, Atty.; 52 East Gay Street; Columbus, OH 43215.

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

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The applicant has received a recommendation of approval from Staff and the Development Commission for a concurrent rezoning request to the L-AR-2, Limited Apartment Residential District (Ordinance # 2711-2020; Z20-057) for a 204-unit apartment building. Variances are requested to reduce the building line, parking setback line, and interior parking lot trees. The variances are supported because they are reflective of the existing development due to a stream corridor protection zone within the southern part of the site. The site design provides a greater capacity to preserve natural features and provide centralized amenity space as reflected on the site plan included with Rezoning Application #Z20-057.

To grant a Variance from the provisions of Sections 3312.21(A), Landscaping and screening; 3312.27, Parking setback line; and 3333.18, Building lines; of the Columbus City Codes, for property located at **3111 HAYDEN RD. (43235)**, to permit reduced development standards for an apartment building in the L-AR-2, Limited Apartment Residential District, and to repeal Ordinance #0330-2013, passed February 25, 2013 (Council Variance #CV20-062). **(AMENDED BY ORD. 1147-2021; PASSED 5/17/2021)**

**WHEREAS**, by application #CV19-021, the owner of property at **3111 HAYDEN RD. (43235)**, is requesting a Council variance to permit reduced development standards for an apartment building in the L-AR-2, Limited Apartment Residential District; and

**WHEREAS**, Section 3312.21(A), Landscaping and screening, requires the interior of any parking lot containing 10 or more parking spaces to provide one deciduous shade tree per 10 spaces within islands or peninsulas, with 18 trees being required for 175 spaces, while the applicant proposes 12 trees to be located along the perimeter of the parking lot rather than within code compliant islands or peninsulas; and

**WHEREAS**, Section 3312.27, Parking setback line, requires a parking setback of 25 feet, while the applicant proposes a reduced parking setback along Hayden Road of 5 feet; and

**WHEREAS**, Section 3333.18, Building lines, requires a building line of no less than 60 feet along Hayden Road, while the applicant proposes a building line of 5 feet; and

**WHEREAS**, said ordinance requires separate submission for all applicable permits and Certificates of Occupancy for the proposed uses; and

**WHEREAS**, the City Departments recommend approval of the requested variances because they will allow a multi-unit residential development with a site design that provides a greater capacity to preserve natural features and provide centralized open space; and

**WHEREAS**, the granting of said variance will not impair an adequate supply of light and air to adjacent property, unreasonably increase the congestion of public streets, increase the danger of fires, endanger the public safety, unreasonably diminish or impair established property values within the surrounding area, or in any other respect impair the public health, safety, comfort, morals, or welfare of the inhabitants of the city; and

**WHEREAS**, the granting of said variance will alleviate the difficulties encountered by the owner of the property located at **3111 HAYDEN RD. (43235)**, in using said property as desired; and

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

**SECTION 1.** That a variance from the provisions of Sections 3312.21(A), Landscaping and screening; 3312.27, Parking setback line; and 3333.18, Building lines; of the Columbus City Codes for property located at **3111 HAYDEN RD. (43235)**, insofar as said sections prohibit a reduction in parking lot trees from 18 to 6, with 12 trees located along the perimeter of the parking lot rather than within code compliant islands or peninsulas; a reduced parking setback line along Hayden Road from 25 feet to 5 feet; and a reduced building line along Hayden Road from 60 feet to 5 feet; said property being more particularly described as follows:

**3111 HAYDEN RD. (43235)**, being 5.34± acres located on the south side of Hayden Road, 500± feet east of Riverside Drive, and being more particularly described as follows:

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

Being Lot Number Fifteen (15) in SAWMILL RAVINE, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 51, page 118, Recorder's Office, Franklin County, Ohio.

**SECTION 2.** That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for those uses permitted in the L-AR-2, Limited Apartment Residential District in Ordinance #2711-2020 (Z20-057).

**SECTION 3.** That this ordinance is further conditioned on the applicant obtaining all applicable permits and a Certificate of Occupancy for the proposed use.

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

**SECTION 5.** That Ordinance #0330-2013, passed February 25, 2013, be and is hereby repealed.