



City of Columbus

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

Legislation Text

File #: 0745-2021, **Version:** 1

Council Variance Application: CV20-126

APPLICANT: Metro Development, c/o Jeffrey L. Brown, Atty.; 37 West Broad Street, Suite 460; Columbus, OH 43215.

PROPOSED USE: Multi-unit residential development.

NORTHEAST AREA 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 #0744-2021; Z20-126) to the L-AR-1, Limited Apartment Residential District for a multi-unit residential development with a maximum of 360 dwelling units. The requested variances are to reduce parking and building setbacks. The variances are supported and necessary to incorporate design recommendations for placing parking behind buildings, and also because of the presence of a no-build easement over the existing pond in the center of the property. The site design also provides a greater capacity to preserve natural features and include centralized open space as reflected on the site plan included with Rezoning Application #Z20-111.

To grant a Variance from the provisions of Sections 3312.27(2), Parking setback line; and 3333.18, Building lines, of the Columbus City Codes; for the property located at **2600 STELZER RD. (43219)**, to permit reduced parking and building setbacks for a multi-unit residential development in the L-AR-1, Limited Apartment Residential District (Council Variance #CV20-126). **(AMENDED BY ORD. 3140-2021; PASSED 12/6/2021)**

WHEREAS, by application #CV20-126, the owner of property at **2600 STELZER RD. (43219)**, is requesting a Council variance to permit reduced parking and building setbacks for a multi-unit residential development in the L-AR-1, Limited Apartment Residential District; and

WHEREAS, Section 3312.27(2), Parking setback line, requires the parking setback line to be 25 feet along public streets, while the applicant proposes parking setback lines of 15 feet along Codet Road and I-270; and

WHEREAS, Section 3333.18, Building lines, requires a building line of no less than 60 feet along Stelzer Road, and of no less than 25 feet along Codet Road and I-270, while the applicant proposes the following building lines: along Stelzer Road, 25 feet for buildings, and 19 feet for porches and balconies; along Codet Road, 15 feet for buildings, and 11 feet for air conditioning units; and along I-270, 15 feet for buildings; and

WHEREAS, the Northeast Area Commission recommends approval; and

WHEREAS, 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 include centralized open space, and because the plan incorporates design recommendations for placing parking behind buildings; and

WHEREAS, this 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 **2600 STELZER RD. (43219)**, in using said property as desired; now, therefore:

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

SECTION 1. That a variance from the provisions of Sections 3312.27(2), Parking setback line; and 3333.18, Building lines, of the Columbus City Codes, is hereby granted for the property located at **2600 STELZER RD. (43219)**, insofar as said sections prohibit a reduced parking setback line from 25 feet to 15 feet along Codet Road and I-270; and reduced building lines as follows: from 60 feet along Stelzer Road to 25 feet for buildings and 19 feet for porches and balconies; from 25 feet along Codet Road to 15 feet for buildings and 11 feet for air conditioning units; and from 25 feet along I-270 to 15 feet for buildings; and a reduced interior perimeter yard from 25 feet to zero feet; said property being more particularly described as follows:

2600 STELZER RD. (43219), being 26.88± acres located at the northeast corner of Stelzer Road and Codet Road, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin, City of Columbus, lying within Quarter Township 1, Township 1, Range 17, United States Military Lands, being 26.879 acres of land all out of an original 27.436 acre tract as conveyed to The New Salem Missionary Baptist Church, of record in Instrument Number 200507110135048, being Franklin County Parcel Identification Number 010-255295, Franklin County Parcel Identification Number 010-255289, Franklin County Parcel Identification Number 010-255293, Franklin County Parcel Identification Number 010-255290, Franklin County Parcel Identification Number 010-255296, Franklin County Parcel Identification Number 010-255285, Franklin County Parcel Identification Number 010-255300, Franklin County Parcel Identification Number 010-255286, Franklin County Parcel Identification Number 010-264081, Franklin County Parcel Identification Number 010-264082, Franklin County Parcel Identification Number 010-259545, Franklin County Parcel Identification Number 520-258110, all being of record in the Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

BEGINNING, at the southwest corner of said 27.436 acre tract and being the intersection of the northerly right of way line of Codet Road and the easterly right of way line of Stelzer Road;

Thence, with said easterly right of way line, North 3°52'51" East a distance of 567.75 feet to the southwesterly corner of a 0.441 acre tract of land as conveyed to Kenneth C. Baker and Sandra L. Baker, of record in Official Record 009003, Page A06;

Thence, with the southerly line of said 0.441 acre tract, South 87°00'33" East, a distance of 167.00 feet to a point;

Thence, with the westerly line of said 0.441 acre tract, North 3°52'47" East, a distance of 100.00 feet to a point on the southerly line of a subdivision entitled Towne Park Section 1, of record in Plat Book 107, Page 47;

Thence, with said southerly line, South 87°00'33" East, a distance of 792.16 feet to an angle point;

Thence, continuing with said southerly line and with the southerly line of a subdivision entitled Towne Park Section 3, of record in Plat Book 113, Page 5, South 87°39'28" East, a distance of 802.98 feet to a point in the westerly limited access

right of way of Interstate 270;

Thence, with said westerly limited access right of way of Interstate 270 the following courses:

South 86°24'59" East, a distance of 15.00 feet to a point;

South 3°35'01" West, a distance of 672.35 feet to a point in the northerly right of way line of Codet Road;

Thence, with said northerly right of way line, North 87°08'49" West, a distance of 1780.50 feet to the **POINT OF BEGINNING**; containing 26.879 acres, more or less.

Subject to all covenants, restrictions, reservations and easements contained in any instrument of record pertaining to the above described tract of land.

The bearings shown above are based on GPS observations, based on NAD83 (2011), Ohio State Plane South Zone, with a bearing of South 2°02'00" East for the centerline of Harlem Road between Franklin County Monument 1373 and Franklin County Monument 1375.

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-1, Limited Apartment Residential District, specified by Ordinance #0744-2021; Z20-111.

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.