



Legislation Text

File #: 1319-2021, **Version:** 1

Council Variance Application: CV21-014

APPLICANT: Refuge, Inc.; c/o Jordan Fillmore; P.O. Box 163173; Columbus, OH 43216.

PROPOSED USE: Parking lot.

GREATER HILLTOP AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The site consists of one undeveloped parcel zoned in the R-4, Residential District. The requested Council variance will allow an 8-space parking lot to be developed on a portion of the parcel. The parking lot will serve the existing shared living facility located at 1601 Sullivant Avenue, until such time that the applicant pursues construction of a new facility on the remaining undeveloped portion of the subject site. A Council variance is necessary because the existing zoning district does not permit a parking lot as a principal use, and because the property was sold by the City of Columbus with a condition that a parking lot be constructed on the parcel to serve the future development. The site is located within the *Hilltop Land Use Plan* (2019), which recommends medium-high density residential (16-24 du/ac) land uses for this location. Additionally, the Plan includes complete adoption of the *Columbus Citywide Planning Policies* (C2P2) Design Guidelines (2018). Staff supports the request, noting that the parking lot will serve a future development on the parcel, and will be used by the adjacent shared living facility until the remaining portion of the site is developed.

To grant a Variance from the provisions of Section 3332.039, R-4, residential district, of the Columbus City Codes; for the property located at **400 RYAN AVE. (43223)**, to permit a parking lot in the R-4, Residential District (Council Variance #CV21-014).

WHEREAS, by application #CV21-014, the owner of property at **400 RYAN AVE. (43223)**, is requesting a Council variance to permit a parking lot in the R-4, Residential District; and

WHEREAS, Section 3332.039, R-4, residential district, prohibits a parking lot as a principle use, while the applicant proposes an 8-space parking lot; and

WHEREAS, the Greater Hilltop Area Commission recommends approval; and

WHEREAS, City Departments recommend approval because the parking lot will serve the adjacent shared living facility until the remaining portion of the site is developed in the future, and does not represent an incompatible land use; and

WHEREAS, said ordinance requires separate submission for all applicable permits and a Certificate of Zoning Clearance 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 **400 RYAN AVE. (43223)**, 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 Section 3332.039, R-4, residential district, of the Columbus City Codes, is hereby granted for the property located at **400 RYAN AVE. (43223)**, insofar as said section prohibits a parking lot as a principal use in the R-4, Residential District; said property being more particularly described as follows:

400 RYAN AVE. (43223), being 0.25± acres located on the east side of Ryan Avenue, 150± feet south of Sullivant Avenue, and being more particularly described as follows:

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

Being Lot Number Twenty-Seven (27) and Twenty-Eight (28), in SULLIVANT HILL PLACE ADDITION, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat book 5, Page 241, 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 a parking lot, or those uses permitted in the R-4, Residential District.

SECTION 3. That this ordinance is further conditioned on general conformance with the site plan drawing titled, "**THE REFUGE**," signed by Craig E. Stevenson, Engineer for the Applicant, and dated May 12, 2021. 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 adjustment to the plan shall be reviewed and may be approved by the Director of the Department of 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 Zoning Clearance 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.