



Legislation Text

File #: 2107-2022, **Version:** 2

Council Variance Application: CV22-022

APPLICANT: Juliet Bullock; 1182 Wyandotte Road; Columbus, OH 43212.

PROPOSED USE: Multi-unit residential development.

NEAR EAST AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The applicant has received a recommendation of approval from Staff and ~~is pending a recommendation from the Development Commission on July 14, 2022~~ for a concurrent rezoning request to the AR-3, Apartment Residential District (Ordinance #2106-2022; Z22-020) to permit a multi-unit residential development. The requested Council variance will permit a single-unit dwelling in addition to a 50-unit apartment building. Variances to dumpster area and to reduce the minimum numbers of parking spaces required from 77 required to 56 provided, building lines, and perimeter yard are included in the request. Staff finds the requested variances to be supportable as the elevations and the inclusion of landscaping on the site plan are consistent with the *Near East Area Plan's* (2005) design guidelines.

To grant a Variance from the provisions of Sections 3333.03, AR-3 Apartment residential district use; 3321.01(A), Dumpster area; 3312.49 Minimum numbers of parking spaces required; 3333.18, Building lines; and 3333.255, Perimeter yard, of the Columbus City Codes; for the property located at **1235 OAK ST. (43205)**, to permit single- and multi-unit residential development with reduced development standards in the AR-3, Apartment Residential District (Council Variance #CV22-022).

WHEREAS, by application #CV22-022, the owner of property at **1235 OAK ST. (43205)**, is requesting a Council variance to permit single- and multi-unit residential development with reduced development standards in the AR-3, Apartment Residential District; and

WHEREAS, Section 3333.03, AR-3 Apartment residential district use, does not permit single-unit dwellings in the AR-3, Apartment Residential District, while the applicant proposes one single-unit dwelling in addition to the 50-unit apartment building; and

WHEREAS, Section 3321.01(A), Dumpster area, requires a dumpster be located in a designated area and shall not be located in any required yard or setback, while the applicant proposes the dumpster be located within the required perimeter yard; and

WHEREAS, Section 3312.49 Minimum numbers of parking spaces required, requires 1.5 parking spaces per dwelling unit, or 77 spaces for 50 apartment units and one single-unit dwelling, while the applicant proposes 56 spaces; and

WHEREAS, Section 3333.18, Building lines, requires a building setback line of 19.93 feet, while the applicant proposes a minimum building setback line of 6 feet 9 inches; and

WHEREAS, Section 3333.255, Perimeter yard, requires a minimum perimeter yard width of 25 feet, while the applicant

proposes a minimum perimeter yard width of 5 feet on the western property line, 7 feet on the eastern property line, and 4 feet 5 inches on the southern property line; and

WHEREAS, the Near East Area Commission recommends approval; and

WHEREAS, the City Departments recommend approval because the landscaping and conceptual elevations are consistent with the *Near East Area Plan's* design guidelines. The request does not introduce an incompatible use the area; and

WHEREAS, this ordinance requires separate submission for all applicable permits and a Certificate of Occupancy for the proposed development; 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 **1235 OAK ST. (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 from the provisions of Sections 3333.03, AR-3 Apartment residential district use; 3321.01 (A), Dumpster area; 3312.49 Minimum numbers of parking spaces required; 3333.18, Building lines; and 3333.255, Perimeter yard, of the Columbus City Codes, is hereby granted for the property located at **1235 OAK ST. (43205)**, insofar as said sections prohibit a single-unit dwelling in the AR-3, Apartment Residential District with a dumpster located within the required perimeter yard; a reduction in the required number of parking spaces from 77 to 56; a reduced building setback line from 19.93 feet to 6 feet 9 inches; and a reduced perimeter yard width from 25 feet to 5 feet on the west property line, 7 feet on the east property line, and 4 feet 5 inches on the south property line; said property being more particularly described as follows:

1235 OAK ST. (43205), being 0.77± acres located on the south side of Oak Street, 35± feet west of Wilson Avenue, and being more particularly described as follows:

SITUATED IN THE STATE OF OHIO, COUNTY OF FRANKLIN AND IN THE CITY OF COLUMBUS AND FURTHER DESCRIBED AS FOLLOWS BEING LOT NUMBERS FORTY-SEVEN AND FORTY-EIGHT IN STEWART AND JONES ADDITION TO THE CITY OF COLUMBUS, AS THE SAME IS NUMBERED AND DELINIATED UPON THE SECOND AMENDED PLAT OF SAID ADDITION IN PLAT BOOK 2, PAGE 102, RECORDERS OFFICE, FRANKLIN COUNTY OHIO AND BEING FURTHER KNOWN AS 1235-1237 OAK STREET, COLUMBUS OHIO PERMANENT PARCEL N0. 010-013342 CONSISTING OF .39 ACRES.

TRACT I (010-039626-00 010-010394-00 010-047698-00) SITUATED IN THE STATE OF OHIO, COUNTY OF FRANKLIN, AND IN THE CITY OF COLUMBUS BEING LOT NUMBER FORTY-NINE (49), FIFTY (50) AND FIFTY-ONE (51) IN STEWART AND JONES SUBDIVISION, TO THE CITY OF COLUMBUS, OHIO AS THE SAME IS NUMBERED AND DELINEATED UPON THE RECORDED PLAT THEREOF, OF RECORD IN PLAT BOOK 2 PAGE 192. RECORDERS OFFICE, FRANKLIN COUNTY, OHIO. TRACT II (010-007219-00) SITUATED IN THE COUNTY OF FRANKLIN, IN TESTATE OF OHIO, AND IN THE CITY OF COLUMBUS AND BOUNDED AND DESCRIBED AS FOLLOWS BEING LOT NUMBER FIFTY-TWO (52) OF STEWART AND JONES SUBDIVISION TO SAID CITY, AS THE SAME IS NUMBERED AND DELINEATED UPON THE RECORDED PLAT THEREOF, OF RECORD IN PLAT BOOK 2. PAGE 192. RECORDERS OFFICE, FRANKLIN COUNTY, OHIO EXCEPTING

THEREFROM THE FOLLOWING PART THEREOF, COMMENCING AT THE EAST CORNER OF SAID LOT 52 THENCE WEST ON THE SOUTH LINE OF SAID LOT, 5 FEET TO A POINT THENCE NORTH PARALLEL WITH THE EAST LINE OF SAID LOT, 60 FEET TO A POINT THENCE EAST WITH THE SOUTH LINE OF SAID LOT, 5 FEET TO THE EAST LINE OF SAID LOT THENCE SOUTH ON THE EAST LINE THEREOF TO THE PLACE OF BEGINNING.

SECTION 2. That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for a 50-unit apartment building and one single-unit dwelling, or those uses permitted in the AR-3, Apartment Residential District.

SECTION 3. That this ordinance is further conditioned on the subject site being developed in general conformance with the site plan titled, “**PROPOSED SITE PLAN**,” dated June 14, 2022, signed by Juliet Bullock, 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 plan shall be subject to review and approval 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 Occupancy for the proposed development.

SECTION 5. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.