



## Legislation Text

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**File #:** 2649-2022, **Version:** 1

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### **Council Variance Application: CV22-013**

**APPLICANT:** NK Development Partners LLC; c/o David Hodge, Atty; Underhill and Hodge, LLC; 8000 Walton Parkway, Suite 260; New Albany, OH 43054.

**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 from the Development Commission for a concurrent rezoning request (Ordinance #2646-2022; Z22-013) to the AR-2, Apartment Residential District to permit a multi-unit residential development. The requested Council variance will permit a 48-unit apartment building. Variances for reduced parking lot landscaping and screening, a reduced building setback, and a parking space reduction from 72 required to 53 provided spaces are included in the request. The Planning Division supports the elevations and the inclusion of landscaping and pedestrian facilities on the site plan as consistent with the *Near East Area Plan's* design guidelines.

To grant a Variance from the provisions of Sections 3312.21(A)(D), Landscaping and screening; 3312.49 Minimum numbers of parking spaces required; and 3333.18, Building lines, of the Columbus City Codes; for the property located at **514 TAYLOR AVE. (43203)**, to permit reduced development standards for a multi-unit residential development in the AR-2, Apartment Residential District (Council Variance #CV22-013).

**WHEREAS**, by application #CV22-013, the owner of property at **514 TAYLOR AVE. (43203)**, is requesting a Council variance to permit reduced development standards for a multi-unit residential development in the AR-2, Apartment Residential District; and

**WHEREAS**, Section 3312.21(A)(D), 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, or 6 trees for a parking lot containing 53 spaces; and that headlight screening be provided along public streets within a landscaped area at least 4 feet in width, while the applicant proposes 5 trees in the parking lot; and to provide no headlight screening along the public alley to the east of the proposed parking lot; and

**WHEREAS**, Section 3312.49 Minimum numbers of parking spaces required, requires 1.5 parking spaces per dwelling unit, or 72 spaces for 48 apartment units, while the applicant proposes a total of 53 spaces; and

**WHEREAS**, Section 3333.18, Building lines, requires a building setback line of 25 feet along the Taylor Avenue frontage, while the applicant proposes a reduced minimum building setback line of 5 feet along the Taylor Avenue frontage; and

**WHEREAS**, the Near East Area Commission recommends approval; and

**WHEREAS**, the City Departments recommend approval because the landscaping, future pedestrian facilities along

Taylor Avenue, and elevations are consistent with the *Near East Area Plan's* design guidelines making the development of the site supportable. 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 **514 TAYLOR AVE. (43203)**, 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 3312.21(A)(D), Landscaping and screening; 3312.49 Minimum numbers of parking spaces required; and 3333.18, Building lines, of the Columbus City Codes, is hereby granted for the property located at **514 TAYLOR AVE. (43203)**, insofar as said sections prohibit reduced parking lot trees from 6 required to 5 provided; no headlight screening along the public alley to the east of the parking lot; a reduction in the required number of parking spaces from 72 space to 53 spaces; and a reduced building setback line from 25 feet to 5 feet along the Taylor Avenue frontage; said property being more particularly described as follows:

**514 TAYLOR AVE. (43203)**, being 0.88± acres located on the east side of Taylor Avenue, 115± feet south of Maryland Avenue, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin, and the City of Columbus, and bounded ad described as follows:

Being all of Lots No. 2 through 7 in M.R. Kearney's First Addition to the City of Columbus, Ohio as the name is numbered and delineated upon the recorded plat thereof, of record in Plat Book 2, Page 132, 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 AR-2, 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, "**ARCHITECTURAL SITE PLAN**," dated September 13, 2022, "**BUILDING ELEVATIONS - WEST**," "**BUILDING ELEVATIONS - EAST**," and "**BUILDING ELEVATIONS - NORTH AND SOUTH**," dated September 6, 2022, and all signed by Eric Zartman, Attorney for the 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.