



## Legislation Text

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**File #:** 2639-2022, **Version:** 1

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### **Council Variance Application: CV22-044**

**APPLICANT:** Christopher Jacobs; c/o Craig Moncrief, Atty.; Plank Law Firm; 411 East Town Street, 2nd Floor; Columbus, OH 43215.

**PROPOSED USE:** Eight-unit apartment building.

**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 ARLD, Apartment Residential District (Ordinance #2638-2022; Z22-032) for residential development. The requested Council variance proposes an eight-unit apartment building in accordance with the submitted site plan and landscaping plan. The request includes variances to parking lot screening and building lines. The site is located within the boundaries of the *Far North Area Plan* (2001), which recommends "Community Mixed Use" land uses at this location. City staff supports the requested variances and notes the development as shown on the site plan and landscaping plan are consistent with the Plan's design guidelines.

To grant a Variance from the provisions of Sections 3312.21(D)(1), Landscaping and screening; and 3333.18, Building lines, of the Columbus City Codes; for the property located at **155 PARK RD. (43235)**, to permit reduced development standards for an eight-unit apartment building in the ARLD, Apartment Residential District (Council Variance #CV22-044).

**WHEREAS**, by application #CV22-044, the owner of property at **155 PARK RD. (43235)**, is requesting a Council variance to permit reduced development standards for an eight-unit apartment building in the ARLD, Apartment Residential District; and

**WHEREAS**, Section 3312.21(D)(1), Landscaping and screening, requires screening of a parking lot within 80 feet of residentially zoned property in a four-foot wide landscaped area, while the applicant proposes to not provide landscaped screening along the western portion of the parking lot; and

**WHEREAS**, Section 3333.18, Building lines, requires a building line of 20.25 feet along Park Road, while the applicant proposes a building line of 12 feet; and

**WHEREAS**, the City Departments recommend approval because the requested variances will permit a residential development with a site design that is consistent with the *Far North Area Plan* design guideline recommendations; and

**WHEREAS**, said 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 roads, 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 **155 PARK RD. (43235)**, in using said property as desired, now therefore:

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

**SECTION 1.** That variances from the provisions of Sections 3312.21(D)(1), Landscaping and screening; and 3333.18, Building lines, of the Columbus City Codes; are hereby granted for the property located at **155 PARK RD. (43235)**, insofar as said sections prohibit parking lot screening that is not provided in a four-foot wide landscaped area, as shown along the western portion of the parking lot; and a reduced building line from 20.25 feet to 12 feet along Park Road; said property being more particularly described as follows:

**155 PARK RD. (43235)**, being 0.46± acres located on the south side of Park Road, 990± feet east of Flint Road, and being more particularly described as follows:

**PARCEL ONE:**

Situated in the State of Ohio, County of Franklin, and in the Township of Sharon:

Being Lot Number Twenty Six (26) and the east one-half of Lot Number Twenty Eight (28), in HENRY C. JOHNSON 2ND ADDITION to the Town of Flint, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 2, page 57, Recorder's Office, Franklin County, Ohio.

**PARCEL TWO:**

Situated in the State of Ohio, County of Franklin and in the Township of Sharon and bounded and described as follows:

Being the East half of Lot Number Twenty Nine (29) and Lot Thirty (30) of HENRY C. JOHNSON'S SECOND ADDITION to the Town of Flint, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book No. 2, Page 57, Recorder's Office, Franklin County, Ohio.

Situated in the State of Ohio, County of Franklin, Village of Flint, located in part of Lot 30 of Henry C. Johnson's Second Addition to Flint as recorded and delineated in Plat Book 2, Page 57, Franklin County Recorder's Office, and being more particularly described as follows:

Beginning, for reference, at an iron pipe set in the West right of way line of a 20 foot wide alley marking the Northeast corner of Lot 30 and the Southeast corner of Lot 29 of said Henry C. Johnson's Second Addition;

Thence North 88 degrees 00'00" West 80.88 feet, along the lot line common to said Lots 29 and 30, to a iron pin set marking the PRINCIPAL PLACE OF BEGINNING of the herein described tract;

Thence the following four courses and distances to clear the encroachment of the South part of an existing frame garage:

South 02 degrees 00'00" West 1.00 feet, across said Lot 30, to an iron pipe set;

North 88 degrees 00'00" West 21.24 feet, across said Lot 30 and parallel to the lot line common to said Lot 29 and 30, to an iron pin set,

North 02 degrees 00'00" East 1.00 feet, across said Lot 30, to an iron pipe set in the lot line common to said Lots 29 and 30;

South 88 degrees 00'00" West 21.24 feet, along the lot line common to said Lots 29 and 30 and passing through said frame garage, to the principal place of beginning, containing 21.24 square feet.

Bases of bearing from Plat Book 2, Page 57, based on North line of Henry C. Johnson's Addition to Flint Subdivision being South 86' East. All reference plats on file at Franklin County Recorder's Office, Columbus, Ohio. A survey of the above described premises was done by R.T. Patridge P.S. 4388, in November, 1998. All iron pins set are capped PATRIDGE SURVEYING.

**SECTION 2.** That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for an eight-unit residential development, or those uses permitted in the ARLD, 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, "**8 UNIT APARTMENT COMPLEX, 155 PARK ROAD,**" and landscaping plan titled, "**LANDSCAPING PLAN, 155 PARK ROAD,**" both dated July 22, 2022, and signed by William Pizzino, Engineer 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 use.

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