

September 2023 Zoning Committee Report

North Linden Area Commission

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Current items

Variance CV23-038 / 2877 Cleveland

Application: <https://portal.columbus.gov/Permits/Cap/CapDetail.aspx?Module=Zoning&TabName=Zoning&capID1=23LAC&capID2=00000&capID3=00445&agencyCode=COLUMBUS&IsToShowInspection=>

Applicant The Hardy Center on behalf of property owner Rosemary Foster, and agent Brian Szuch of PH7 Architects, seek to build a large garage to hold the Hardy Center's transfer vans. This construction would join two small lots and face onto an alley. This construction requires the following variances:

1. 3332.035: in an R-3 Residential district, permit transfer bus parking for off-site use.
2. 3312.035: in an R-3 Residential district, permit parking of transfer buses on a residentially-zoned lot.
3. 3332.04 A 4: in an R-3 Residential district, permit construction of a principle building on a lot narrower than 50'. The lots in question are each 47' by 50'; the combined lot is 100' by 47'.
4. 3332.13: Permit a principle building to be constructed on a lot less than 5,000 square feet in area in an R-3 Residential district. The lot is 4700 square feet.
5. 3332.27: Permit a principle building to be constructed with a rear yard totaling less than 25% of the total lot area. The garage will mostly cover the lot; it's 30'; wide and 65' long, with a driveway apron and setbacks on all sides.. The property on the south and west sides is an empty lot; on the north are two houses.
6. 3332.19: Permit a principle building to be built facing an alley. The lot geometry is such that there is no alternative, to opening onto an alley, and other garages on this stretch

open onto that same alley.

1 City Staff marked disapproval on May 19, raising concerns about building profile and commercial use in an area recommended for residential uses in the 2014 North Linden Neighborhood Plan Amendment.

2 At the June 8 meeting, the applicant was not present. A neighbor expressed concerns about this development, including about ensuring utility access to the poles along the fenceline, and whether the Hardy Center's garage would later be bought by someone who would use it as an illegal car shop.

At the July 27 Special Meeting, the applicant was not present. One resident in attendance was for the variance, saying that the Hardy Center needs a place to store their vans.

The Zoning Committee moved (4 for, 1 abstain) to recommend **disapproval of the variance**, citing concerns about building a large garage in the middle of a residential area. The Hardy Center appears to have other options for securing their vehicles.

After the July 27 meeting, the applicant emailed, asking for a status update. The person who had been handling this case had left the organization, and they wanted to continue to pursue the variance. Chair Keith asked the Hardy Center to come to the September meeting of the Area Commission to speak before the Area Commission's vote.

Variance BZA23-071 / 727 E. Weber Road

This is the first of two items concerning this property.

Application: <https://portal.columbus.gov/Permits/Cap/CapDetail.aspx?Module=Zoning&TabName=Zoning&capID1=23LAC&capID2=00000&capID3=00631&agencyCode=COLUMBUS&IsToShowInspection=>

- Parcel 010-050-293 <https://audr-apps.franklincountyohio.gov/redir/Link/Parcel/010-050293-00>
- Zoned: LC5 - Limited Commercial 5, prohibiting use as a car wash <https://columbus.legistar.com/LegislationDetail.aspx?ID=1559184&GUID=2010BF0C-E1C6-4D70-96BD-29CC4B8B5395>
- Application submitted: June 13, 2023

Applicant Khader D. Haj-Tamim on behalf of Jaber Al Khader LLC seek a special permit to allow a food trailer to remain parked on the site.



At the July 27 Special Meeting, neighbors were broadly in favor of the application. There are some concerns about ongoing traffic impacts from having lots of patrons, and litter.

The Zoning Committee moved (5 for, 0 against) to recommend **approval of the variance**.

Rezoning Z23-034 / 727 E Weber

Application: <https://portal.columbus.gov/Permits/Cap/CapDetail.aspx?Module=Zoning&TabName=Zoning&capID1=23LAC&capID2=00000&capID3=00596&agencyCode=COLUMBUS&IsToShowInspection=>

- Parcel 010-050-293 <https://audr-apps.franklincountyohio.gov/redir/Link/Parcel/010-050293-00>
- Zoned: LC5 - Limited Commercial 5, prohibiting use as a car wash <https://columbus.legistar.com/LegislationDetail.aspx?ID=1559184&GUID=2010BF0C-E1C6-4D70-96BD-29CC4B8B5395>
- Application submitted: June 7, 2023

Applicant Khader D. Haj-Tamim on behalf of Jaber Al Khader LLC seek to rezone the Weber Market property from LC-5 (excluding use as a car wash) to C-4, to allow food and car sales.

Allowable uses in C-4 zoning include every use allowed in C-1, C-2, and C-3, plus these uses: https://library.municode.com/oh/columbus/codes/code_of_ordinances?nodeId=TIT33ZOCO_CH3356RESCCODI_3356.03PEUS

Applicant said that the reason they're rezoning is that the special permit for the food truck is contingent on rezoning. Not sure about ever doing car sales.

The neighbors present at the meeting were in favor of the food-sales use. They were resoundingly opposed to any use of the property for car sales, especially since the property next door, also owned by Jaber Al Khader LLC, contained a used-car lot. The applicant said that the operator of the used-car lot was a tenant, who was being evicted for code violations. As of September, the car lot was empty.

The Zoning Committee moved (5 for, 0 against) to recommend **conditional approval**, with the condition being that the C-4 zoning be limited to prohibit use for car lots or sales as listed in the C-4 zoning:

- Commercial uses allowing dwelling units above the primary use, including:
 - Automobile and Light Truck Dealers
 - Automotive Sales, Leasing and Rental
 - Motorcycle, Boat, and Other Motor Vehicle Dealers
 - Recreational Vehicle Dealers

- Truck, Utility Trailer, and RV (Recreational Vehicle) Sales, Rental and Leasing

- Commercial uses not allowing dwelling units above the primary use, including:
 - Farm Equipment and Supply Stores

DEMO2338967 / 1326 Oakland Park Avenue

This item was omitted from agenda of the September meeting due to a technical issue.

Application: <https://portal.columbus.gov/Permits/Cap/CapDetail.aspx?Module=Zoning&TabName=Zoning&capID1=23LAC&capID2=00000&capID3=00119&agencyCode=COLUMBUS&IsToShowInspection=>

- Parcel 010-095579-00 <https://audr-apps.franklincountyohio.gov/redir/Link/Parcel/010-095579-00>
- Zoned: C-4
- Application submitted: August 1, 2023

Applicant Pap Oil Company LLC plans to demolish and rebuild the store portion of the gas station on Oakland Park Avenue. This gas station has been closed since the tenant ceased operations in 2022. The property has been the subject of numerous code violations and code complaints.

Jason Caldwell, Project Manager of Carra Builders Commercial Construction Company, contacted the Zoning Committee to ask that this item's consideration be moved up, before the October meeting. The project will not require zoning variances.

This item has not been heard by the Zoning Committee, and is presented to the Area Commission for first hearing and action.

Upcoming items

None at this time.

Other information

Zoning Committee Meeting Schedule

The next meeting of the Zoning Committee will be on October 12, at 6:30 p.m., at the Linden Community Center at 1350 Briarwood Avenue.

Zoning Code Update Meetings

The city Zone In Advisory Committee meets monthly; details are posted on the Zone In Columbus website: <https://www.columbus.gov/zoningupdate/>

Zoning Newsletter

The Zoning Committee has launched a newsletter. View past issues and subscribe at <https://us21.campaign-archive.com/home/?u=330bc1a667408c7b6f03e46bb&id=b4deb59789>

