



## Legislation Details (With Text)

**File #:** 1590-2023      **Version:** 1

**Type:** Ordinance      **Status:** Passed

**File created:** 5/19/2023      **In control:** Zoning Committee

**On agenda:** 6/5/2023      **Final action:** 6/9/2023

**Title:** To grant a Variance from the provisions of Sections 3356.03, C-4 permitted uses; and 3372.604, Setback requirements, of the Columbus City Codes; for the property located at 1048 PARSONS AVE. (43206), to permit accessory storage with a reduced parking setback in the C-4, Commercial District (Council Variance #CV23-002).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD#1590-2023\_Attachments, 2. ORD#1590-2023\_Labels

Date	Ver.	Action By	Action	Result
6/9/2023	1	CITY CLERK	Attest	
6/8/2023	1	MAYOR	Signed	
6/5/2023	1	COUNCIL PRESIDENT	Signed	
6/5/2023	1	Zoning Committee	Waive the 2nd Reading	Pass
6/5/2023	1	Zoning Committee	Accept entire staff report into evidence as an exhibit	Pass
6/5/2023	1	Zoning Committee	Approved	Pass
6/5/2023	1	Zoning Committee	Adopt the findings of staff as the findings of Council	Pass

### Council Variance Application: CV23-002

**APPLICANT:** Abdallah Aljakhsi; c/o Daniel Mayer; 1250 Chambers Road, Suite 250; Columbus, OH 43212.

**PROPOSED USE:** Accessory storage.

**COLUMBUS SOUTH SIDE AREA COMMISSION RECOMMENDATION:** Approval.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The site consists of one parcel developed with an automotive repair shop in the C-4, Commercial District, and is subject to the Parsons Avenue Urban Commercial Overlay (UCO). The requested Council variance will permit two 8 feet by 20 feet shipping containers to be used for accessory storage. A Council variance is required because storage is not a permitted use in the C-4 district. A variance to reduce the parking setback is also included with this request. The site is within the boundaries of the *Near Southside Plan* (2011), which recommends "Mixed-Use (Neighborhood)" land uses at this location, and includes the early adoption of the *Columbus Citywide Planning Policies (C2P2) Design Guidelines* (2018). While the Plan does not address shipping containers as a storage use, Staff are supportive as the proposal will provide accessory storage that is located behind the existing commercial structure, away from the primary frontage along Parsons Avenue, and does not represent the introduction of an incompatible use.

To grant a Variance from the provisions of Sections 3356.03, C-4 permitted uses; and 3372.604, Setback requirements, of the Columbus City Codes; for the property located at **1048 PARSONS AVE. (43206)**, to permit accessory storage with a reduced parking setback in the C-4, Commercial District (Council Variance #CV23-002).

**WHEREAS**, by application #CV23-003, the owner of property at **1048 PARSONS AVE. (43206)**, is requesting a Council variance to permit accessory storage with a reduced parking setback in the C-4, Commercial District; and

**WHEREAS**, Section 3356.03, C-4 permitted uses, prohibits storage, while the applicant proposes to allow two storage containers for accessory storage, as shown on the site plan; and

**WHEREAS**, Section 3372.604, Setback requirements, requires a minimum parking setback of five feet in the Urban Commercial Overlay (UCO), while the applicant proposes to maintain a parking setback of zero feet from the Parsons Avenue frontage; and

**WHEREAS**, the Columbus South Side Area Commission recommends approval; and

**WHEREAS**, the City Departments recommend approval because this request will provide an accessory storage use to the existing commercial building, and locates the proposed shipping containers behind the structure and away from the primary frontage along Parsons Avenue; and

**WHEREAS**, said ordinance requires separate submission for all applicable permits and 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 the adjacent property, unreasonably increase the congestion of public streets, increase the danger of fires, endanger the public safety, unreasonably diminish or impair established property values within the surrounding area, or in any other respect 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 owner of the property located at **1048 PARSONS AVE. (43206)**, 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 3356.03, C-4 permitted uses; and 3372.604, Setback requirements, of the Columbus City Codes; is hereby granted for the property located at **1048 PARSONS AVE. (43206)**, insofar as said sections prohibit storage in the C-4, Commercial District; with a reduced parking lot setback from five feet to zero feet along the Parsons Avenue frontage; said property being more particularly described as follows:

**1048 PARSONS AVE. (43206)**, being 0.15± acres located at the southeast corner of Parsons Avenue and Siebert Street, and being more particularly described as follows:

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

Being Lot Numbers Three Hundred Sixty-Two (362) and Three Hundred Sixty-Three (363), of Blesch and Kremer's Subdivision to the City of Columbus, Ohio, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 4, Pages 306 and 307, Recorder's Office, Franklin County, Ohio.

Address: 1048 Parsons Ave., Columbus, OH 43206

Permanent Parcel No.: 010-049575-00

**SECTION 2.** That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for commercial development with accessory storage, or those uses permitted in the C-4, Commercial District.

**SECTION 3.** That this ordinance is further conditioned on the subject site being developed in general conformance with the site plan titled, "**1048 PARSONS AVE**," dated April 10, 2023, and signed by Daniel Mayer, Agent 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 plans shall be subject to review and approval by the Director of the Department 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 upon 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.