



Legislation Details (With Text)

File #: 1042-2007 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 6/20/2007 **In control:** Zoning Committee

On agenda: 7/23/2007 **Final action:** 7/23/2007

Title: To grant a Variance from the provisions of Section 3332.035, R-3, Residential District, of the Columbus City Codes, for the property located at 263-265 WREXHAM AVENUE (43223), to permit an existing two-family dwelling to remain in the R-3, Residential District (Council Variance # CV07-017).

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD1042-2007Attachments.pdf, 2. ORD1042-2007Labels.pdf, 3. ORD1042-2007DataSheet.pdf

Date	Ver.	Action By	Action	Result
7/25/2007	1	CITY CLERK	Attest	
7/24/2007	1	MAYOR	Signed	
7/23/2007	1	Zoning Committee	Approved	Pass
7/23/2007	1	COUNCIL PRESIDENT	Signed	
7/16/2007	1	Columbus City Council	Read for the First Time	
7/3/2007	1	Dev Zoning Drafter	Sent to Clerk's Office for Council	
6/29/2007	1	Dev Zoning Drafter	Sent for Approval	
6/29/2007	1	DEVELOPMENT DIRECTOR	Reviewed and Approved	
6/28/2007	1	Dev Zoning Drafter	Sent for Approval	
6/28/2007	1	Dev Zoning Reviewer	Reviewed and Approved	
6/28/2007	1	Dev Reviewer	Reviewed and Approved	

Council Variance Application: CV07-017

APPLICANT: Pamela Anderson; c/o Ernie Cook, Agent; 4720 Elliott Road; Hilliard, OH 43026.

PROPOSED USE: Two-family dwelling.

GREATER HILLTOP AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. This request will permit an existing two-family dwelling to remain in the R-3, Residential District. A Council variance is necessary in that a two-family dwelling is not a permitted use in the R-3, Residential District. The site is located within the planning area of *The Greater Hilltop Plan* (2001) which supports the diversity of housing stock and promotes the mix of housing types. A hardship exists because the non-conforming nature of the site precludes financing options and the dwelling has been long established on this lot. Approval of this request will not add a new or incompatible use to the area.

To grant a Variance from the provisions of Section 3332.035, R-3, Residential District, of the Columbus City Codes, for the property

located at **263-265 WREXHAM AVENUE (43223)**, to permit an existing two-family dwelling to remain in the R-3, Residential District (Council Variance # CV07-017).

WHEREAS, by application No. CV07-017, the owner of property at **263-265 WREXHAM AVENUE (43223)**, is requesting a Council Variance to permit an existing two-family dwelling in the R-3, Residential District; and

WHEREAS, Section 3332.035, R-3, Residential District, prohibits two-family dwellings, while the applicant proposes to maintain an existing two-family dwelling; and

WHEREAS, the Greater Hilltop Area Commission recommends approval; and

WHEREAS, City Departments recommend approval because this request will not add a new or incompatible use to the area. The requested Council variance will permit an existing two-family dwelling to remain in the R-3, Residential District. A Council variance is necessary in that a two-family dwelling is not a permitted use in the R-3, Residential District. The site is located within the planning area of *The Greater Hilltop Plan* (2001) which supports the diversity of housing stock and promotes the mix of housing types; and

WHEREAS, said ordinance requires separate submission for all applicable permits 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 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 **263-265 WREXHAM AVENUE (43223)**, 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 Section 3332.035, R-3, Residential District, of the Columbus City Codes, is hereby granted for the property located at **263-265 WREXHAM AVENUE (43223)**, insofar as said section prohibits a two-family dwelling; said property being more particularly described as follows:

263-265 WREXHAM AVENUE (43223), being 0.10± acres located on the west side of Wrexham Avenue, 140± feet south of Doren Avenue, and being more particularly described as follows:

LEGAL DESCRIPTION

263-265 WREXHAM AVENUE, COLUMBUS, OHIO 43223

TAX PARCEL # 010-038639

Situated in State of Ohio, County of Franklin and in the City of Columbus:

Being Lot Number Seventy Eight (78) of D.G. Belknap's Addition, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 4, page 41, 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 a two-family dwelling, or those uses permitted in the R-3, Residential District.

SECTION 3. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.